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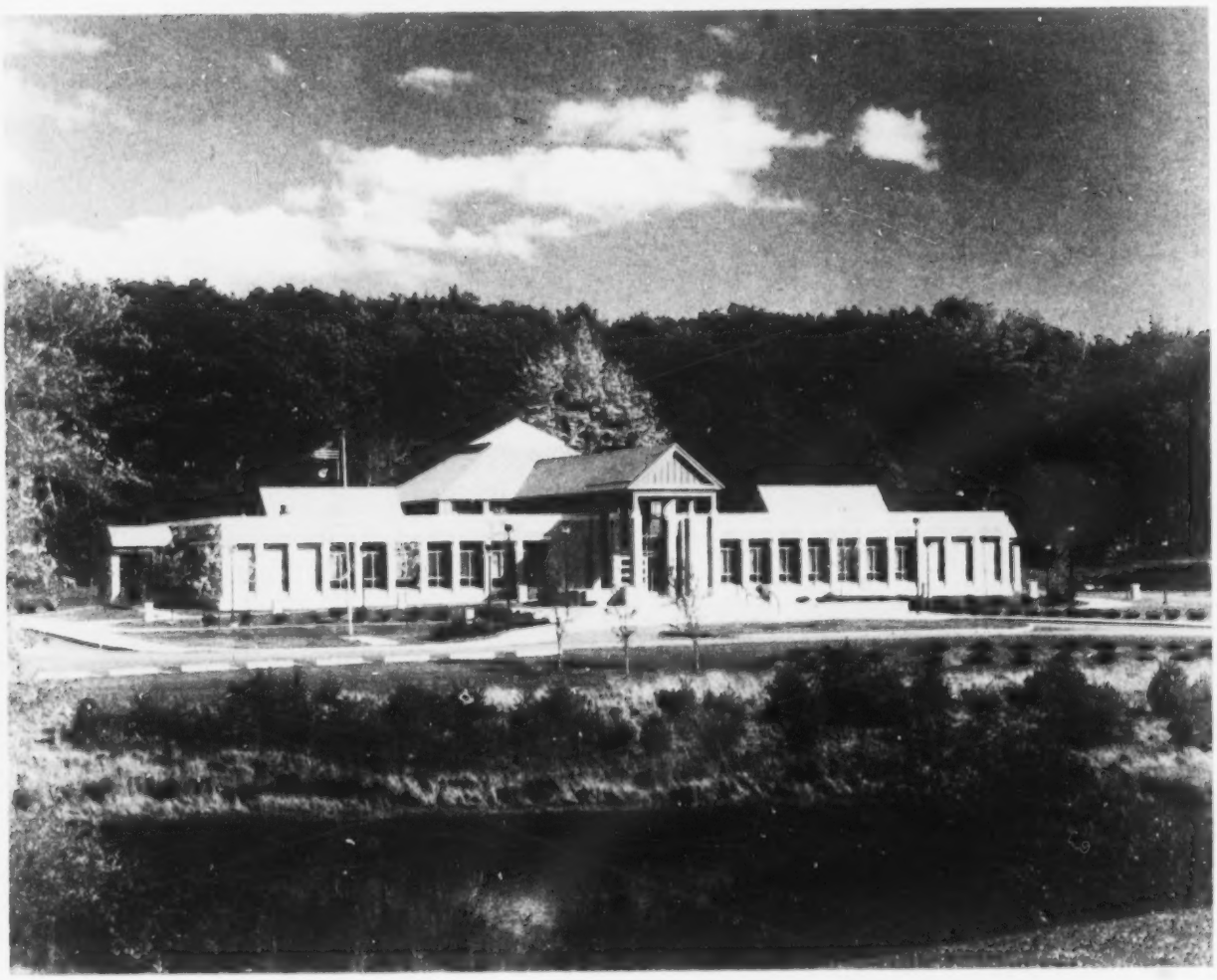
STATE OF MAINE JUDICIAL BRANCH ANNUAL REPORT



FISCAL YEAR 1993

STATE OF MAINE JUDICIAL BRANCH ANNUAL REPORT

FISCAL YEAR 1993

JULY 1, 1992 — JUNE 30, 1993

Administrative Office of the Courts
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Cover: West Bath District Courthouse, opened December 1992, dedicated May 1993
Photograph: Brian Vanden Brink © ***1993***

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State Court Administrator

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January 1994

Honorable Daniel E. Wathen, Chief Justice of the Supreme Judicial Court
Honorable John R. McKernan, Jr., Governor of Maine
Members of the 116th Legislature

Ladies & Gentlemen:

It is my pleasure to transmit the annual report of the Judicial Branch for fiscal year 1993. The report reflects a year of improvement with major new initiatives having been undertaken. These improvements can be seen in the implementation of a series of new and important projects to enhance the manner in which the Judicial Branch is striving to achieve its mission.

Building on the work of the Commission to Study the Future of Maine's Courts, the Judicial Branch has begun to make plans for an improved system for the administration of justice. The implementation of the participatory management process is allowing the Judicial Branch to utilize the ideas and energy of staff from throughout the system to create necessary improvements.

This report outlines in substantial detail the work that has been accomplished in the various courts. At a time when caseload increases are evident in the most complex areas of litigation, and in an atmosphere where the Court is adjusting to keep pace with changing responsibilities, the statistical data reveals that the courts were still able to keep up with the filings. All of this is truly remarkable when looked at against the backdrop of serious budgetary reductions which have precluded the acquisition of badly needed additional staff and resources.

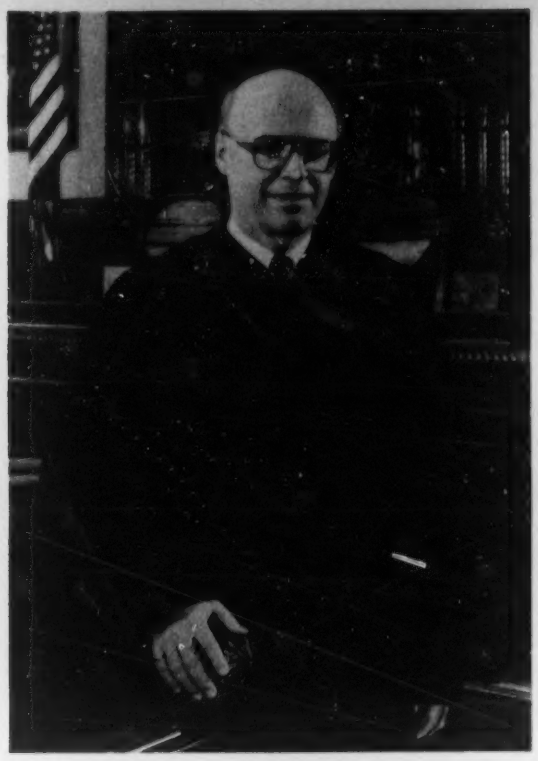
This report is a tribute to the women and men who comprise the Judicial Branch of government.

It must also be noted that this year's report is substantially different from the reports of previous years. The format has been redesigned and the content changed to provide the reader with a good overview of the activities of the Judicial Branch. Sherry Reed produced these changes under the general direction of Debra Olken. This report was also made possible by the data submitted by Clerks of the Court throughout the state and contributions from Fran Norton, Scott Clark, and Mark Soucie. I extend my thanks to them for their fine efforts.

Sincerely,

James T. Glessner

James T. Glessner
State Court Administrator



Chief Justice Daniel E. Wathen

From the Chief Justice . . . . . .

The fiscal year 1993 was a time of great challenge, reflection, renewal, and accomplishment for the judicial branch of Maine's government. The year presented a funding crisis of historic dimensions and followed on the heels of a year involving budget cuts, lay-offs, furloughs, increased filing fees, increased fines, and a drastic cut in the fees paid to witnesses and jurors. We began the year with a five million dollar deficit in operating funds and with five of fifty judicial positions left vacant as a means of controlling expenditures. We ended the year with bills paid, a full complement of judges, and a commendable level of performance.

This was a year in which the status quo was not an option. In spite of the financial difficulties, or perhaps because of those difficulties, the year was marked by the reorganization of the administrative office of the courts, a systematic re-examination of the role and function of courts in Maine, an attempt to view the court system through the eyes of the people who require the protection afforded by the courts, and a commitment on the part of all involved in the judicial system to work together to plan and produce change in an effort to address the real needs of the public. Many of the resulting initiatives are described in the follow pages.

In my first year as chief justice, I have gained a renewed appreciation for the critical importance of providing meaningful access to court services for every person in Maine. As I reported to the Maine Legislature - right and justice are not commodities to be paid for the user and denied to those without funds, rationed in scarce times, and offered freely only if and when financially convenient. We are challenged to give meaning to the constitutional promise that "right and justice shall be administered freely and without sale, completely and without denial, promptly and without delay." We have a long way to go, but the women and men who work in Maine's judicial branch are equal to the task. It is my privilege to provide the following report on their efforts during the past year.

Daniel E. Wathen
Chief Justice
Supreme Judicial Court of Maine

COMMISSION TO STUDY THE FUTURE OF MAINE'S COURTS

The 114th Legislature created the Commission to Study the Future of Maine's Courts (P.L. 1991, c. 891, Part B)and charge it with making recommendations for a system of justice to meet the needs of the citizens of Maine in the 21st Century. The membership of the Commission was statutory, and the Commission was to report to the Joint Standing Committee on Judiciary by February 28, 1993. From April 1991 through the fall of 1992 the Commission engaged in research activities and developed preliminary recommendations. In October 1992 the Commission held public hearings and solicited other input from the public and legal community.

In February 1993 recommendations were finalized and the Commission issued its final report, New Dimensions for Justice which was formally presented to the Legislative, Judicial and Executive Branches on March 10th by Judge Harriet P. Henry, Chair of the Commission. Distribution of the report included the Chief Justices and State Court Administrators of the 50 states and national, judicial, and educational organizations, as well as the Maine Judiciary and Legislature.

The Commission's proposed legislation was also presented on March 10th. Although most of the Commission's legislative agenda was held over by the Judiciary Committee, four pieces of legislation were passed and have become law (P.L. 1993, c. 401). As a result, the Legislature directed the Judicial Council to implement the Futures' Commission recommendations, provided for the establishment of an advisory committee on alternative dispute resolution (ADR), changed the jurisdictional limit for small claims cases from $1400 to $3000, and continued the Family Court project until 1999. The remaining proposals will be considered again in January 1994.

The Commission worked with the Judicial Branch, the American Bar Association's Standing Committee on Dispute Resolution, the Maine State Bar Association, and the Maine Association of Dispute Professionals to present a conference, "Dispute Resolution and The Courthouse Of The Future", on June 18, 1993 in Portland. Most members of the Bench and many members of the Bar were in attendance. Throughout the spring the Commission also worked with the courts and others to initiate implementation efforts.

PLANNING PROCESS IN THE ADMINISTRATIVE OFFICE OF THE COURTS

"A good plan is like a road map;
it shows the final destination and usually marks
the best way to get there..." H. Stanley Judd

During February 1993, a new planning effort was initiated in the Administrative Office of the Courts. All members of the AOC, at all levels and from all locations, were brought together to embark upon a process to develop a comprehensive plan for the AOC. Led by the new State Court Administrator, the group drafted an AOC mission statement, identified major responsibilities and activities, drafted goals and developed detailed objectives for each goal. As of the end of FY'93, the Administrative Office of the Courts' mission and goals were established:

Mission Statement:

The Administrative Office of the Courts is dedicated in its effort to serve the Chief Justice, Judiciary, Judicial Branch employees and the public. The AOC shall provide leadership and management which will enable the Judicial Branch to fulfill its mission. It shall provide and coordinate administrative and support services in an efficient, accessible and unified manner.

Goals:

•••Improve and expand effective communication for the Judicial Branch, both internally and externally.

•••Provide and properly maintain accessible, adequate, and appropriate facilities for all operations of the Judicial Branch.

•••Improve Judicial Branch operations by developing, implementing and enforcing uniform standards and procedures.

•••Develop, implement and maintain a comprehensive management information system to encourage management by fact.

•••Secure and prudently manage the financial resources required to effectively operate the Judicial Branch.

•••Expand the scope of human resource management services to better serve the personnel of the Judicial Branch.

•••Provide employees and the public with a secure environment free from all health and safety hazards.

•••Promote the application and coordination of all technology appropriate to improving the efficiency of Judicial Branch operations.

•••Establish a comprehensive planning process within the Judicial Branch to coordinate, prioritize and monitor the implementation of all goals.

PARTICIPATORY MANAGEMENT PROJECT

Soon after Chief Justice Daniel E. Wathen took office in March 1992, he began a statewide tour of all 50 trial court locations. In a letter to all employees reporting on the initial impressions from his visits, he committed his administration "...to move towards a participatory form of management that will involve all judicial employees in problem-solving."

Meanwhile, based in part on recommendations of the State Government Reorganization Commission, the Maine Legislature passed a Resolve that mandated the development of a plan for total quality management (TQM) by September 1, 1992 and adoption of TQM procedures in the Judicial Branch and the other two branches of state government by December 31, 1992.

The close relationship between "participatory management" and TQM became apparent immediately, and a TQM Plan was developed for consideration by the Supreme Judicial Court (SJC). A concept paper was submitted to the State Justice Institute seeking funds for a staff coordinator and consultant assistance to implement the plan for "participatory management."

After the SJC adopted the TQM plan effective September 1, Chief Justice Wathen sought volunteers for a "Performance Council" to oversee the implementation of participatory management. He appointed 20 council members in October 1992, including judges, clerks of court, managers, accounting staff from the Administrative Office of the Courts, and attorneys representing Pine Tree Legal Assistance and the Court Futures Commission.

The Council undertook an educational program of "basic training" in November and December to better understand basic concepts of TQM. Members learned about the "tools" of analyzing work processes that are used by teams of employees. Most importantly, Council members drafted statements defining the mission, vision, and guiding principles of the Judicial Branch as detailed on the following page.

A series of six "TQM Awareness Briefings" were held at regional locations in February and March 1993 with all 400 Judicial Branch employees participating, an unprecedented event. All employees reviewed the draft mission, vision, and guiding principles statements and many offered suggestions for improvement.

The State Justice Institute advised Chief Justice Wathen in March 1993 of a $121,700 grant award for a one year project to implement "participatory management." As of the end of FY'93, selection of a consultant to advise the Performance Council on total quality management was imminent, with the SJI project set to start July 1, 1993.

Teams:

Chief Justice Wathen organized in June 1992 a small team of staff involved in processing indigent defense counsel vouchers to meet with two persons from the Bath Iron Works "Continuous Process Improvement" staff to learn about the techniques of improving work processes. He indicated his goal was to have a check issued within 30 days of when an indigent defense payment voucher is submitted to a court. At that time, it was taking nearly five months for a check to be issued. After months of work by the Voucher Improvement Committee, voucher processing time had dropped to less than two months by the end of FY'93.

A second quality improvement team was composed of judges and clerk of court staff to develop a standard procedure for handling Protection from Abuse cases in the District Court. By the end of the year, this team had prepared comprehensive flow charts, defined tasks, established procedures, and began preparation for a statewide training conference.

A team was also organized to consider compliance with the Americans with Disabilities Act (ADA) under the heading of "Court Committee on Service to Customers with Special Needs." The committee participated in a closed circuit interactive satellite ADA workshop in November 1992 with several other state court systems. On May 21, 1993, the Committee sponsored training for clerk of court staff at seven locations via the University of Maine interactive television network. As of June 1993, efforts to improve service to court customers with disabilities involved a statewide facility survey as part of developing a transition plan.

JUDICIAL BRANCH
MISSION-VISION-GUIDING PRINCIPLES

Mission

To administer justice by providing an accessible, efficient and impartial system of dispute resolution that serves the public interest, protects individual rights, and instills respect for the law.

Vision

Public Service. The Judicial Branch will:
- provide appropriate facilities, equipment, and personnel to deliver judicial services required by the public;
- continuously gather, analyze, and utilize information from all sources concerning the actual needs of Maine citizens;
- eliminate inconsistency, needless complexity, waste and delay;
- eliminate barriers to accessibility, whether those barriers are physical, economic, procedural or otherwise;
- institute uniform and simplified procedures and inform the public about those procedures in a format that is readily available and easily understood.

Judges and Staff. The Judicial Branch will:
- provide training to enable all employees to perform their tasks and fulfill their potential;
- motivate employees by encouraging and recognizing their contributions; and,
- provide a work environment that promotes employee productivity and well-being.

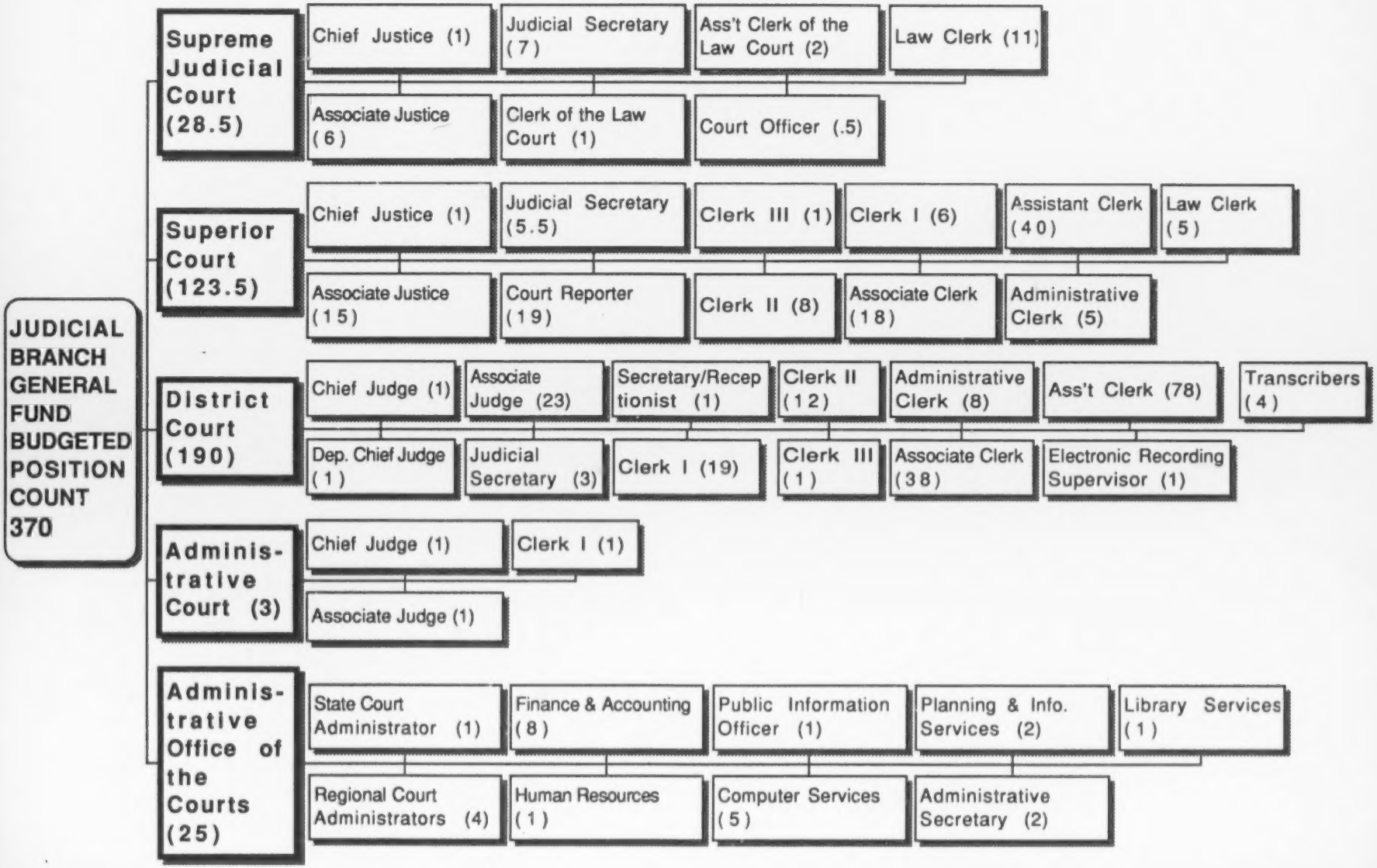
Court Management. The Judicial Branch will:
- maintain the degree of financial and operational independence that is necessary for the proper performance of its separate constitutional obligations;
- maintain systems to ensure financial and operational accountability;
- institute uniform and coordinated internal operating procedures;
- develop and maintain a system of reciprocal communication with employees, those involved in the justice system, the other branches of government, and the public;
- rely on teamwork and participation by employees in management decision-making;
- systematically evaluate new technologies and implement those appropriate for use in the courts;
- develop and utilize objective standards for the measurement of performance; and,
- plan for the future.

Guiding Principles

The Judicial Branch:
- strives to make justice accessible to all;
- treats everyone with respect, dignity, and courtesy;
- works as a team and encourages and recognizes the contributions of all employees;
- communicates public information openly and effectively;
- provides employees with opportunities for continuous learning, growth and advancement; and,
- provides the service that will best serve the public.

Developed by the Judicial Branch and adopted by the Supreme Judicial Court, 1993.

State of Maine
JUDICIAL BRANCH
Staffing by Division



IB/AOC/OHR
6/93

FISCAL INFORMATION

Fiscal Year 1993 continued the series of difficult financial years for the Judicial Branch that began in the late 1980's. The Judicial Branch received a total appropriation of $28.9 million from the Legislature which was approximately $2.4 million less than the appropriation received in the three previous years.

To operate within this reduced funding, a variety of short term cost deferrals were implemented. These included: funding the judicial pension reserve account at half the level that was actuarially required; deferring all "capital" projects, including court automation, except for emergency requests; carrying over large amounts of unpaid bills, particularly those for indigent legal services, into the next fiscal year; deferring the last payroll of the year into the next fiscal year; negotiating temporary lease reductions from courthouse landlords to be reinstated in future years; postponing judicial and staff education; and delaying the filling of five judicial vacancies.

All of the above measures have negative financial implications at least on the next financial year. At this printing, the Judicial Branch is struggling with an operating deficit of nearly $5,000,000 in good part caused by the unmet needs of FY'93.

On a more positive financial note, a number of cost reduction efforts succeeded in reducing certain categories of expenditures. Specifically, bailiff contracts with the counties were standardized resulting in reduced cost statewide, and expenses for several contractual service programs were reduced.

JUDICIAL BRANCH EXPENDITURE SUMMARY

The Judicial Branch operates primarily from the State general funds appropriated by the Maine Legislaure, although it also receives some grants from public and private sources.

TABLE F-1

CATEGORY	FY'92	FY'93	% of Total In FY'93	% Change '92-'93
District Court	$11,832,575	$10,181,400	34.9	-14.0
Superior Court	7,738,682	6,940,613	23.8	-10.3
Indigent Legal Services	4,506,682	5,134,941	17.6	13.9
Supreme Judicial Court	2,180,486	2,022,138	6.9	-7.3
Administrative Office of the Courts	945,472	874,969	3.0	-7.5
Mediation	311,830	266,000	0.9	-14.7
Administrative Court	350,751	326,895	1.1	-6.8
Court Automation	435,953	356,603	1.2	-18.2
State Court Library	265,775	231,743	0.8	-12.8
Grants (a)	549,704	261,301	0.9	-52.5
Court Security Administration	256,455	331,688	1.1	29.3
Court Appointed Special Advocate	82,969	93,436	0.3	12.6
Judicial Council	4,564	4,457	0.0	-2.3
Other Department Activities (b)	2,417,645	2,165,040	7.4	-10.4
TOTAL	$31,879,543	$29,191,224	100.0	-8.4

(a) Other monies expended during FY'93 were as follows:

- Augusta Mental Health Institute Master Agreement - $76,101 (Maine Department of Human Services)
- Court Automation - $59,870 (Bureau of Justice Assistance, through Maine Justice Assistance Council)
- Commission to Study the Future of Maine Courts - $94,857 (State Justice Institute; Libra Foundation; National Institute of Dispute Resolution; Maine Bar Foundation)
- Sentencing Institute - $11,500 (Maine Council of Churches)
- Managing Trials Effectively Seminar - $18,973 (State Justice Institute)

(b) In FY'92, 88% ($2,149,339) represented annual bond interest payments and lease costs of the new Portland courthouse addition; in FY'93, $1,854,441 (86%) of "other department activities" was annual bond interest.

JUDICIAL BRANCH EXPENDITURES BY CATEGORY: FY'90 - FY'93 **TABLE F-2**

	FY'90 Expenditures	FY'91 Expenditures	FY'92 Expenditures	FY'93 Expenditures	FY'93 % of Total
PERSONAL SERVICES	$15,394,892	$15,373,651	$15,411,158	$14,434,134	49.9
ALL OTHER					
Court Appt. Counsel	3,649,054	4,179,040	3,768,752	4,562,957	15.8
Medical Services*	413,437	336,672	419,854	267,848	0.9
Transcript Costs*	124,867	42,446	16,033	26,323	0.1
Investigators*	87,151	72,470	87,667	79,688	0.3
Witness Fees*	585,740	591,790	595,571	287,695	1.0
Misc. Professional Fees	126,391	242,846	288,500	267,479	0.9
Court Officers*	726,932	820,432	187,628	217,847	0.8
Bailiffs*	557,798	987,109	1,361,085	744,961	2.6
Traverse Jury Costs	1,242,543	1,238,873	590,885	461,125	1.6
Grand Jury Costs	162,459	146,005	73,960	67,039	0.2
Pensions	1,527,953	1,563,030	1,635,382	1,687,062	5.8
Disability Compensation	99,232	131,227	112,309	205,683	0.7
Mediators	341,698	278,350	232,424	221,006	0.8
County Law Libraries	204,594	233,185	205,658	197,740	0.7
Books	211,198	136,091	159,819	116,034	0.4
Printing/Binding	128,412	134,858	119,786	111,517	0.4
Photocopying	173,263	174,773	204,837	153,541	0.5
Postage	421,135	168,978	142,403	93,360	0.3
Office Supplies	160,682	153,103	130,057	134,801	0.5
Telephone	415,173	453,048	428,836	236,279	0.8
Leases	2,240,653	2,4[illegible]40	1,522,437	1,298,877	4.5
Janitorial Services	28,365	29,643	62,185	161,398	0.6
Court Facilities Bonds	-	-	2,149,339	1,854,441	6.4
Travel/Mileage	329,033	327,534	300,435	281,109	1.0
Other*	1,215,818	824,295	873,684	653,423	2.3
Total All Other	$15,173,581	$15,668,938	$15,669,526	$14,389,233	49.7
CAPITAL	$467,028	$161,191	$249,155	$106,556	0.4
TOTAL **	**$31,035,501**	**$31,203,780**	**$31,329,839**	**$28,929,923**	**100.0**

***DEFINITIONS**

Medical Services: Psychiatric examinations and testimony under the following circumstances: involuntary hospitalization of mentally ill and mentally retarded individuals; periodic review of mentally ill individuals and re-certification of mentally retarded individual indigent criminal defendants; and any other criminal defendants on the order of the judge, in Superior and District Court cases.

Transcript Costs: Transcript costs for indigent defendants, and for judicial review in sentencing.

Investigators: Investigators in indigent defense cases.

Witness Fees: Payments to municipal police departments, county sheriffs, state police and the State Department of Inland Fisheries and Wildlife for their officers to serve as witnesses for the prosecution in District Court cases; and for indigent defendant's witnesses in Superior and District Court cases; and to private citizens serving as witnesses in any criminal case.

Court Officers: Payments to county sheriffs to provide security in Superior Court for FY'90 and FY'91. During FY'93 this type of service is reflected at bailiff cost center. Also payments to county sheriffs and municipal police departments to serve as court complaint officers in District Court.

Bailiffs: Payments to county sheriffs and municipal police departments to provide security in the District Court and as of FY'92 includes Superior Court costs.

Other: Data processing, casual labor, complaint justices, research services, analysis and lab services, out of state travel, utilities, rent and repairs to equipment subscriptions, dues, janitorial services, clothing, miscellaneous and minor equipment, training, and disability compensation.

** NOTE: DOES NOT INCLUDE SPECIAL PROJECTS ADMINISTERED WITH FEDERAL MONIES.

COMPARATIVE REVENUE SUMMARY FOR SUPERIOR, DISTRICT AND ADMINISTRATIVE COURTS: **TABLE F-3**

SUPERIOR COURT	FY'90 Revenue	FY'91 Revenue	FY'92 Revenue	FY'93 Revenue	% chg. 92-'93
Androscoggin	$186,563	$197,762	$242,644	$323,395	33.3
Aroostook	90,374	170,389	191,200	180,178	-5.8
Cumberland	451,613	620,792	634,098	701,747	10.7
Franklin	83,817	74,978	79,079	68,747	-13.1
Hancock	77,323	132,540	89,479	103,514	15.7
Kennebec	127,761	178,533	192,871	247,159	28.1
Knox	98,714	127,873	105,601	102,676	-2.8
Lincoln	77,945	85,527	81,919	103,353	26.2
Oxford	50,859	99,202	99,079	114,804	15.9
Penobscot	237,166	306,348	345,112	219,446	-36.4
Piscataquis	13,593	21,274	22,701	16,076	-29.2
Sagadahoc	59,983	77,244	84,442	80,885	-4.2
Somerset	137,318	151,973	127,113	133,875	5.3
Waldo	39,272	55,986	64,005	63,502	-0.8
Washington	62,613	85,751	76,051	63,292	-16.8
York	296,319	321,877	390,979	489,594	25.2
Sub Total	**$2,091,233**	**$2,708,049**	**$2,826,373**	**$3,012,243**	**6.6**

DISTRICT COURT	FY'90 Revenue	FY'91 Revenue	FY'92 Revenue	FY'93 Revenue	% chg '92-'93 (b)
Augusta	$1,067,674	$1,216,968	$951,963	$606,399	-36.3
Bangor	1,632,589	1,613,231	1,274,379	779,244	-38.9
Bar Harbor	162,625	182,909	146,406	102,833	-29.8
Bath/Brunswick (a)	938,361	1,199,983	1,002,586	589,671	-41.2
Belfast	331,633	392,556	341,251	239,439	-29.8
Biddeford	1,496,709	1,539,596	1,415,323	804,112	-43.2
Bridgton	359,897	452,684	381,593	239,510	-37.2
Calais	311,800	307,247	296,729	207,556	-30.1
Caribou	225,878	294,318	222,430	150,300	-32.4
Dover-Foxcroft	281,067	308,783	271,903	193,056	-29.0
Ellsworth	540,298	622,540	454,991	309,287	-32.0
Farmington	380,638	431,310	334,212	173,815	-48.0
Fort Kent	80,951	102,267	85,400	55,257	-35.3
Houlton	297,812	409,125	281,881	188,262	-33.2
Lewiston	1,323,315	1,750,378	1,581,895	874,736	-44.7
Lincoln	295,567	324,157	291,790	146,193	-49.9
Livermore FAlls	136,695	155,357	131,440	74,998	-42.9
Machias	203,786	227,796	212,518	148,547	-30.1
Madawaska	70,091	90,597	74,520	48,805	-34.5
Millinocket	193,901	217,975	168,274	135,861	-19.3
Newport	461,285	507,656	415,625	209,165	-49.7
Portland	3,456,027	3,958,372	3,151,072	1,751,150	-44.4
Presque Isle	389,955	499,396	439,327	272,314	-38.0
Rockland	426,830	533,355	396,044	310,197	-21.7
Rumford	296,403	390,584	296,890	181,265	-38.9
Skowhegan	859,559	1,079,848	900,412	491,402	-45.4
South Paris	221,248	261,786	244,111	190,316	-22.0
Springvale	590,375	724,493	636,483	396,522	-37.7
Van Buren	29,936	36,316	29,712	13,020	-56.2
Waterville	878,143	891,458	689,780	529,776	-23.2
Wiscasset	331,597	381,171	316,686	250,192	-21.0
York	1,346,576	1,985,753	1,769,269	716,763	-59.5
D.C. Violations Bureau (b)	-	-	$3,565,694	$8,058,726	126.0
Sub Total	**$19,619,221**	**$23,089,965**	**$22,772,589**	**$19,438,689**	**-14.6**

ADMINISTRATIVE COURT	FY'90 Revenue	FY'91 Revenue	FY'92 Revenue	FY'93 Revenue	% chg '92-'93
	$113,226	$119,511	$101,745	$80,594	-20.8
GRAND TOTAL	**$21,823,680**	**$25,917,525**	**$25,700,707**	**$22,531,526**	**-12.3**

(a) Bath/Brunswick courts were merged, effective July 1, 1990. Data prior to July 1, 1990 has also been combined to allow for trend analysis.
(b) Effective 1/1/92 all traffic infractions are filed at a central location called the District Court Violations Bureau. In FY'93 all traffic infractions revenue is reported at the Violations Bureau and not at the individual District Courts.

DISTRIBUTION OF FUNDS COLLECTED BY THE JUDICIAL BRANCH

TABLE F-4

	FY'91	FY'92	FY'93	% Composition FY'93	% Change '92 - '93
GROSS COLLECTIONS	26,162,612	25,953,306	22,717,982	100%	-12.5
DEDICATED REVENUES:					
Dept. of Conservation (Keep Maine Scenic Fund)	3,105	2,890	3,120	0.0%	8.0
Dept. of Inland Fisheries and Wildlife (Fish and Game Fund)	508,350	527,676	603,616	2.7%	14.4
Dept. of Inland Fisheries and Wildlife (Watercraft Fund)	39,881	46,991	36,641	0.2%	-22.0
Dept. of Attorney General (Victim's Compensation Fund)	0	0	109,599	0.5%	-
Dept. of Transportation (Transportation Safety Fund)	549,568	484,019	300,611	1.3%	-37.9
Dept. of Transportation (Highway Fund)	1,440,652	1,244,035	954,038	4.0%	-23.3
Dept. of Labor (Employment Security Fund)	2,530	0	0	0.2%	0.0
Maine County Governments (Gov't Operations Surcharge Fund)	423,574	398,129	381,680	1.7%	-4.1
Maine Municipal Governments (Violations of Local Ordinances)	79,878	73,827	81,343	0.4%	10.2
TOTAL DEDICATED REVENUES	3,047,538	2,777,567	2,470,648	10.9%	-11.0
DISTRIBUTED TO GENERAL FUND (NOT DEDICATED)	23,115,074	23,175,739	20,247,334	89.1%	-12.6
Additional Funds from Partial Reimbursements Provided by Indigent Defendants	124,725	191,347	301,227		57.4

PROJECTS IN PROGRESS

AMERICANS WITH DISABILITIES ACT

The new federal Americans with Disabilities Act (ADA) will have significant impact on Judicial Branch facilities.

A Judicial Branch Committee on Service to Customers with Special Needs was formed and a coordinator was appointed to deal with the implications of the ADA on services and facilities of the state courts. The Committee members reflect a cross-section of the Judicial Branch work force - judges, clerks of court, court reporters, administrators - as well as community representatives with special knowledge of the needs of persons with disabilities.

The Committee participated in a closed circuit satellite interactive television conference at the University of Maine at Augusta studios in November 1992 with several other state court systems to learn more about the provisions of the legislation and how to achieve compliance. One of the immediate needs identified was to conduct a survey of all court facilities to determine the extent to which they are inaccessible to persons with disabilities and plan the corrective actions that will be required to remove barriers to access.

A training program was held in December 1992 with court security staff from several counties. The agenda included training in how to do a survey of court facilities using a form developed by the National Center for State Courts. Training to heighten awareness of issues involved in providing improved service to persons with disabilities was also provided. Surveys then were undertaken as time permitted by the court security staff. As of June 30, 1993, 27 of the Judicial Branch's 51 court facilities and office locations had been surveyed.

About 40 court staff gathered at the seven University of Maine interactive television campus studio locations on Friday, May 21 for the first-ever court clerk training program utilizing the two-way video and audio system. The two hour program dealt with the civil rights of disabled persons and "etiquette" training, all designed to improve the provision of court services to persons with disabilities. The program was funded by the Maine Consumer and Technology Training Exchange, a Maine Department of Education project funded with a grant from the National Institute on Disability and Rehabilitation Research.

CHILD SUPPORT ENFORCEMENT

In September 1992, the Judicial Branch entered into a Cooperative Agreement with the Department of Human Services (DHS) for the purpose of: (1) establishing paternity and securing financial support for minor children through the provision of court services; (2) defining the roles, relationships and responsibilities of the Judicial Branch and DHS with respect to child support cases; and (3) setting forth a basis for financial reimbursement to the Judicial Branch for providing court services, pursuant to federal regulations. The agreement was made retroactive to the July 1, 1990 - 1992 period, allowing the Judicial Branch to seek reimbursement for a percentage of clerical staff salaries based on the estimated time spent processing child support-related cases during FY'93.

Legislation was enacted by the 116th Maine Legislature allocating funds for the Judicial Branch to hire a child support coordinator. The efforts of the coordinator during FY'93 were focused on the development and implementation of the Cooperative Agreement, and on the development of a system for collecting data on total numbers of cases involving paternity and child support for purposes of seeking reimbursement.

COMMUNICATIONS

The Chief Justice and the State Court Administrator have stressed the importance of broadening the lines of communication and providing for a more open sharing of information among members of the Judicial Branch. One feature of this new emphasis was evidenced by the initiation of a Judicial Branch newsletter entitled "Just'us for All". Published monthly using in-house AOC resources and mailed with paychecks to minimize cost, the newsletter includes regular columns by the Chief Justice and State Court Administrator, as well as other news and happenings of interest to all judges and staff.

COMPUTERIZATION

Several major grants were awarded during FY'93 to support many of the following accomplishments:

AT&T/NCR Computer Hardware Upgrade: Computer systems in five of the largest District Court locations were replaced with the new AT&T computers, and the many versions of the District Court application system were transformed into a single version capable of operating on any computer. Testing of the central server computer (which will run the system for the 23 small courts) was completed, and those courts will be moved onto that machine when the network is completed. In addition, an improved version of the office automation application was installed at each of these sites and on the central server in Augusta.

Wide Area Network (WAN): A significant amount of time was spent working with the State Division of Telecommunications in an effort to develop a workable, cost-effective wide area network (WAN) for the more than 30 court sites throughout the state. Upon determining that this was not feasible, the Computer Services Department, working with vendors and private businesses, developed a WAN to meet the court system's needs. A Request for Proposals for communication hardware was written, and the resulting bids and equipment were evaluated. The equipment was purchased at the start of the fourth quarter. Deployment to the first two court sites was completed, testing for subsequent court locations was begun, and planning for migration to the central server computer was initiated.

Application Systems: In addition to the changes related to the AT&T/NCR hardware upgrade, other District Court system changes were made. The ability to collect the victims' compensation fund surcharge was added, the accounting and point of sale functions were enhanced, and a number of smaller functions were modified or added to address problems and increase the functionality of the system. Working with the Fiscal Department, the Computer Services Department generated thousands of letters to collect overdue fines, provided lists of overdue fines to the State Bureau of Taxation for tax offset and assisted in auditing a number of the District Courts. The District Court Violations Bureau (DCVB) system was enhanced with additional features, primarily in the accounting and reporting functions. Significant changes were identified but not implemented due to lack of resources.

Special Projects: The Computer Services Department provided technical expertise and administrative support to the Maine Supreme Judicial Court during their reapportionment of the House, Senate and Congressional districts. In addition, long term planning for the replacement and expansion of the District Court system and the implementation of a Superior and Supreme Court computer system was begun.

FACILITIES

West Bath District Court: The new District Court facility in West Bath became operational in early December 1992. Dedication ceremonies were held in May 1993, and included a tribute to the Honorable Paul A. MacDonald, in recognition of his long and distinguished career in public service. Judge MacDonald, for whom the new courthouse is named, became the first resident judge of District Six in 1965.

The West Bath courthouse was built to accommodate the combined district courts formerly located in Brunswick for the Division of Eastern Cumberland (Freeport, Brunswick and Harpswell) and Bath for Sagadahoc County. The building was designed by Winton Scott Architects and houses two courtrooms, as well as offices for the clerk of court. It also houses the Court Appointed Special Advocate Program (CASA), court security services, participatory management project, Cumberland County district attorney, Sagadahoc County district attorney, and offices of probation and parole.

Other Courthouse Projects: The 116th Maine Legislature enacted Public Law 1993, Chapter 410, Part TTT, authorizing the Maine Court Facilities Authority to issue securities in an amount up to $7,000,000 for the purpose of paying the cost of courthouse projects in Biddeford, Skowhegan and other locations designated by the Authority.

FAMILY COURT PROJECT

In 1990, the Legislature authorized the creation of a Commission to Study the Future of Maine's Courts and directed the courts to establish a pilot project to handle family law cases. The pilot project was implemented in the Cumberland County Superior Court and in the Ninth District Court on June 10, 1991, with substantial direction and support provided by the judges and staff of the Administrative Court. All cases filed in these courts involving divorce, post-divorce motions, paternity, protection from abuse, and

child protective proceedings were made a part of the project. Although resources have not been available to conduct an empirical evaluation of the project to date, the response of the Bar and the public has been very favorable.

In June 1993, the Legislature enacted a law implementing the recommendation of the Commission to Study the Future of Maine's Courts that the family court project be continued and expanded into other geographic areas with large numbers of family law cases, as well as in other areas determined appropriate. The Legislature also provided that a final report concerning the family court project be made by the project's director to the Joint Standing Committee on Judiciary by January 15, 1999.

GENDER, JUSTICE, AND THE COURTS

Effective January 1, 1993, the Supreme Judicial Court created the Commission on Gender, Justice, and the Courts. Its mandate, as directed by the Court, is to "identify attitudes and behavior operating within the Maine judicial system that either reflect gender bias or may be perceived to reflect gender bias and to make appropriate remedial recommendations. The Commission will consider how gender affects treatment of women and men in the legal and judicial environment and will develop a program to ensure that gender-based myths, biases, and stereotypes do not affect judicial decision making."

The Court also established three subcommittees: the Subcommittee on Gender and Economics, to assess gender bias in the treatment of certain types of civil cases; the Subcommittee on Gender in the Courts, to assess gender bias in the treatment of litigants, witnesses, jurors and lawyers by those who work in the courthouse, as well as bias in the appointment of attorneys as counsel, guardians ad litem, and the like, and; the Subcommittee on Crime and the Courts, to assess the treatment of participants in the criminal justice system with particular emphasis on the experience of people involved with domestic violence and of victims of sexual assault. All subcommittees are to propose appropriate remedial measures, including educational programs, to address any bias that might be found.

After a period of information gathering using surveys, written documentation from other states, meetings, etc., the Commission will prepare a plan for identifying gender bias in Maine's courts, develop a final plan to ensure that Maine's courts will be free from gender bias, implement its recommendations, and recommend to the Supreme Judicial Court methods for monitoring and educating with regard to gender bias after implementation of the plan.

GRANTS

Grants continued to be an important source of funds for the Judicial Branch during FY'93. Funds were awarded for the following activities from a variety of non-State sources:

- Computer equipment and support for trial court automation *(Maine Justice Assistance Council, through the Bureau of Justice Assistance)*
- Computer equipment and support for trial court automation *(Bureau of Justice Statistics)*
- Equipment and support for the District Court Violations Bureau *(Maine Department of Public Safety)*
- "Managing Trials Effectively" seminar for Maine Superior Court justices, and selected judges from New Hampshire and Vermont *(State Justice Institute)*
- Maine Sentencing Institute *(Maine Council of Churches)*
- Commission to Study the Future of Maine's Courts *(State Justice Institute; the Libra Foundation; the National Institute for Dispute Resolution)*
- Miscellaneous out-of-state educational seminars *(State Justice Institute; the National Judicial College; the National Center for State Courts)*

INDIGENCY SCREENING PROJECT

An experimental indigency screening project is proving successful in Androscoggin, Cumberland, Sagadahoc and York Counties. Trained screeners review the financial status of persons seeking counsel at State expense and make recommendations to the judge concerning their eligibility for counsel and ability to reimburse the State in whole or in part. The program not only returns revenue for the State from those able to pay, but helps to remove the court from an adversarial role in dealing with applicants for counsel. It also adds credibility to the program by ensuring that only those who are eligible are provided with counsel from scarce State resources.

JUDICIAL EDUCATION

A newly constituted Judicial Education Committee was established and became very active during FY'93. The Committee, chaired by Associate Justice Caroline Glassman, included two Superior Court justices, two District Court judges, a law school professor, and a staff member from the Administrative Office of the Courts.

The Committee was charged with planning and implementing a comprehensive judicial education program for the Maine judiciary. It made significant progress by: procuring various grants to enable judges to attend out-of-state educational conferences; attending the Leadership Institute in Judicial Education to acquire training as to effective judicial education programming and judicial education annual planning; designating specific Judicial Branch funds for a judicial education budget; planning for a statewide conference dealing with family violence issues for judges and Department of Human Services staff; and establishing a close working relationship with the judicial education departments in New Hampshire and Vermont to explore more cooperative programming on a regional basis.

LAW LIBRARIES

Legislation enacted in 1981 regionalized the 18 law libraries located in Maine's count courthouses and created the State Court Library Committee with seven members appointed by the Chief Justice. In 1993, the 115th Legislature voted to expand the membership of the committee to nine, and reestablish the four tier system (based on collection size and potential use) by reinstating four of the six small libraries that had been previously closed.

The state court library supervisor is charged with the general supervision of these libraries. Visits to each library included collection appraisals; meetings with local library committees on a variety of concerns; and working with those clerks of court and judicial secretaries responsible for the day to day operation of the libraries.

LEGISLATIVE HIGHLIGHTS

During the legislative session, staff in the AOC Planning and Management Information Department drafted Judicial Branch-sponsored legislation, reviewed over 1500 pieces of proposed legislation, tracked the status of bills and amendments that were determined to have potential impact on the Judicial Branch, and prepared more than 300 fiscal and programmatic impact statements. The Public Information Officer monitored and reported the activity of the Legislature throughout the session, assuring timely communication between the legislative and judicial branches.

The 116th Legislature, First Regular Session, enacted over 580 public laws, private and special laws, resolutions and/or constitutional amendments, many of which impact the Judicial Branch in some way. Those having significant impact include:

• An Act Regarding Appeal Periods in District Court Civil Cases. Changes the appeal period in all District Court civil cases from 10 to 30 days. This change was made to conform with federal regulations requiring a 30-day notice period and a 30-day appeal period in child support cases. This law also allocates funds for a child support coordinator position, and reimburses the Judicial Branch for a percentage of clerical staff salaries based on the estimated time spent processing child support cases. (P.L. 1993, ch. 338)

• An Act to Expand the Duties of the Judicial Council to Include Implementing the Recommendations of the Commission to Study the Future of Maine's Courts and to Implement Certain Other Recommendations of the Commission. Directs the Judicial Council to carry out implementation of the recommendations of the Commission to Study the Future of Maine's Courts. Establishes an interim advisory committee on alternative dispute resolution and negotiated rule making. Changes the jurisdiction limit for small claims cases from $1400 to $3000 and requires review of the limit every four years. Continues the Family Court Project until 1999. (P.L. 1993, ch. 401)

• An Act Regarding Judicial Branch Publications. Authorizes the State Court Administrator to establish a fee schedule to cover the cost of printing and distribution of publications and forms and the procedures for the sale of these publications and forms. All fees collected from the sale of the publications must be deposited in a fund for use by the SCA to replace and update publications and forms and to fund new publications. Allocates $10,000 from other special revenue funds to replace, update, and fund new publications. (P.L. 1993, ch. 172)

• An Act Regarding Law Court Staffing. Allocates funds to the Judicial Branch for one staff attorney position and related expenses to handle additional worker's compensation appeals in the courts, resulting from recent reform to the worker's compensation laws. (P & S Law 1993, ch. 49)

• An Act to Require Immediate Income Withholding for All Child Support Orders.
Among other changes to the child support laws, provides that effective January 1, 1994, in any action in which a court establishes or modifies a support order, the court must issue an immediate income withholding order. (P.L. 1993, ch. 472)

In addition, numerous pieces of legislation were enacted which created new civil or criminal violations and/or new causes of action. While each law affects the Judicial Branch in only a limited way, the new laws in the aggregate significantly impact court workload and Judicial Branch resources.

MAINE JUDICIAL COUNCIL

As set forth in 4 M.R.S.A. § 451, the purpose of the Judicial Council is to "make a continuous study of the organization, rules, and methods of procedures and practices of the judicial system of the State, the work accomplished, and the results produced by that system and its various parts." Its membership is set by statute, and includes various members of the Executive Department, Legislature, Judicial Branch, and members of the public.

During FY'93, the Council was closely involved in the work of the Commission to Study the Future of Maine's Courts. In addition, it sponsored and provided staff support to the 1993 Maine Criminal Justice Sentencing Institute, held in Augusta on January 7 and 8, 1993.

SECURITY SERVICES

In addition to overseeing all court security services, the Judicial Branch now directly controls court security services at its locations in Sagadahoc, Androscoggin and Aroostook Counties, and provides direct support at the Cumberland County Courthouse. Court agents are assigned to assist other counties as needed and when contract terms make such an arrangement more cost effective. The basic level of service at all other locations is still provided under formal contract with the sheriff's departments. During FY'93, the Judicial Branch again sought to "flat fund" the existing contracts for court security as a means of standardizing wages and benefits without loss of essential services.

A new statute was enacted clarifying the assignment of responsibility for in-custody persons while at the courthouse. During FY'93, there were no reported escapes from any courthouse. Many of the cases that required additional security precautions were within the realm of "Family Court", (i.e., divorces, child custody hearings, etc.)

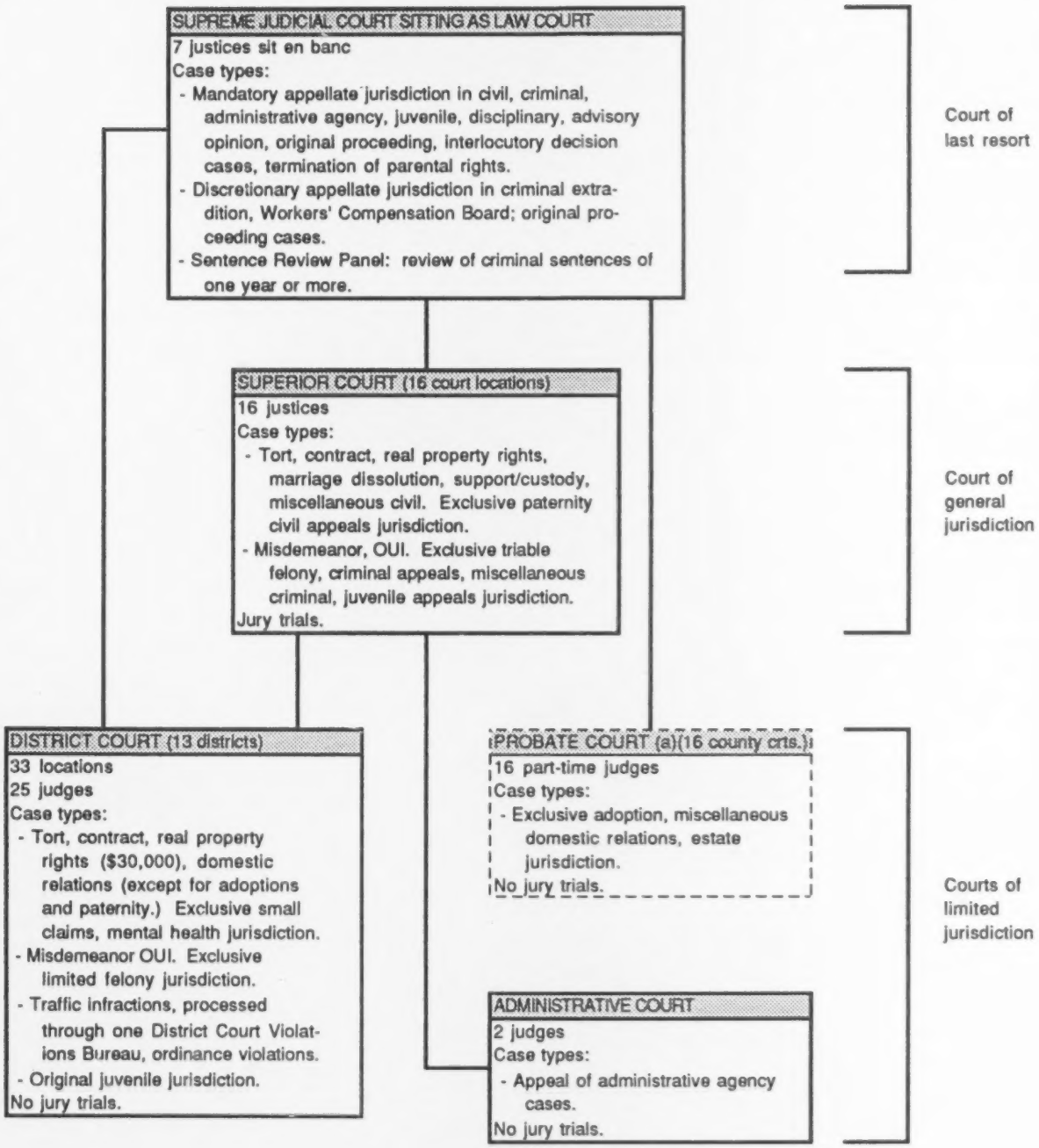
The Court Security Office has also been involved with implementation of the Americans with Disabilities Act in all courthouses, and selected court security staff will be working with court employees with respect to the blood pathogen issues.

SENTENCING INSTITUTE

On January 7-8, 1993, the Maine Judicial Council presented the 1993 Maine Criminal Justice Sentencing Institute at the Augusta Civic Center. Pursuant to statute (4 M.R.S.A. §454), the purpose of the Institute is "...to provide a continuing forum for the regular discussion of the most appropriate methods of sentencing convicted offenders..." The Institute was financially supported by a grant from the Maine Council of Churches which, in turn, was funded by the Edna McConnell Clark Foundation.

The over 200 participants were from all facets of the criminal justice community: judges, district attorneys, Attorney General's criminal division attorneys, defense attorneys, law enforcement officers, Department of Corrections' personnel, substance abuse and mental health professionals, Judicial Council members, and members of the general public. Agenda items included sentencing hypotheticals, sentencing practices in other states, the Maine Criminal Code, appellate review of sentences, county corrections, and the victim's role in sentencing.

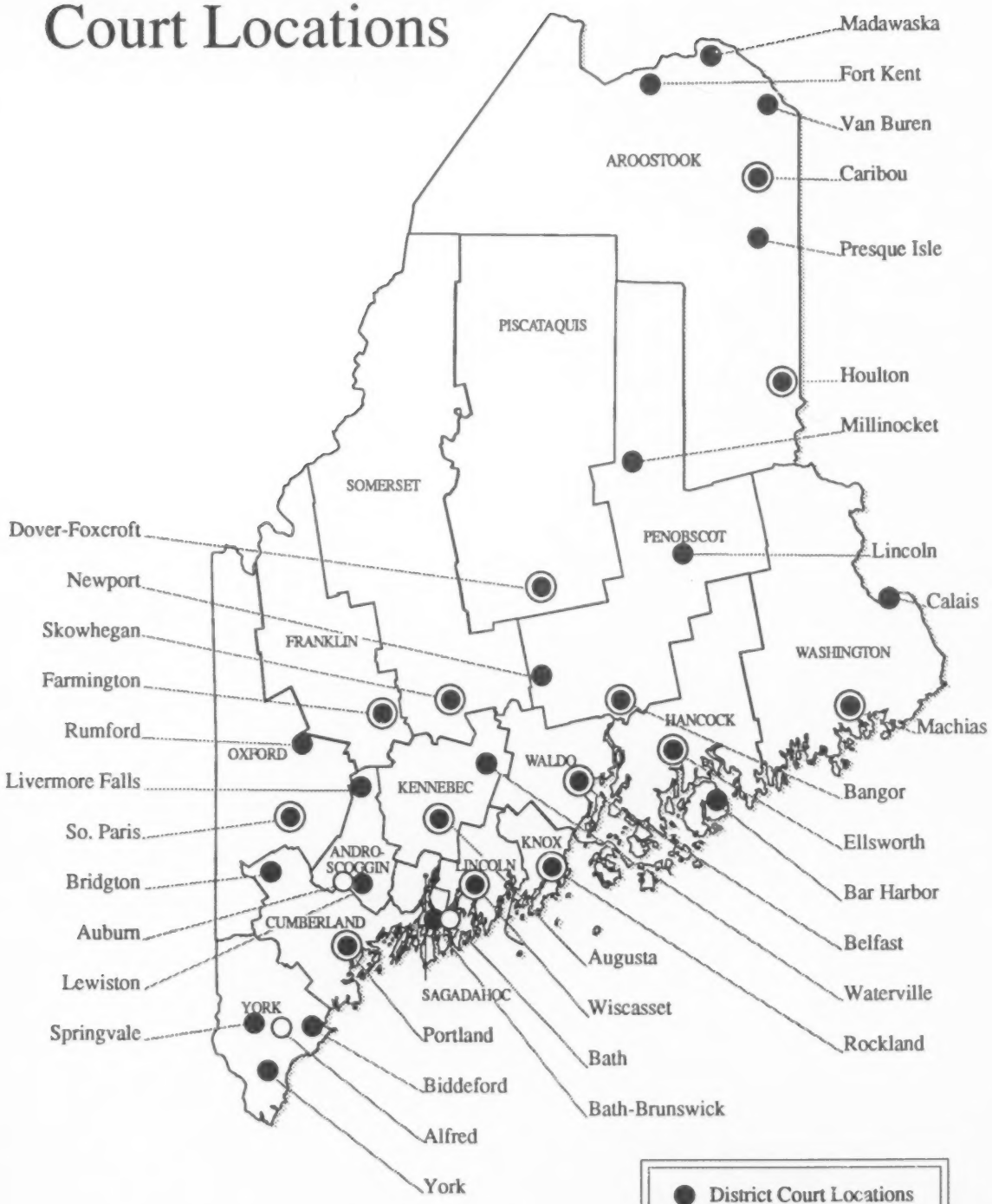
MAINE COURT STRUCTURE


SUPREME JUDICIAL COURT SITTING AS LAW COURT
7 justices sit en banc
Case types:
- Mandatory appellate jurisdiction in civil, criminal, administrative agency, juvenile, disciplinary, advisory opinion, original proceeding, interlocutory decision cases, termination of parental rights.
- Discretionary appellate jurisdiction in criminal extradition, Workers' Compensation Board; original proceeding cases.
- Sentence Review Panel: review of criminal sentences of one year or more.
Court of last resort
SUPERIOR COURT (16 court locations)
16 justices
Case types:
- Tort, contract, real property rights, marriage dissolution, support/custody, miscellaneous civil. Exclusive paternity civil appeals jurisdiction.
- Misdemeanor, OUI. Exclusive triable felony, criminal appeals, miscellaneous criminal, juvenile appeals jurisdiction.
Jury trials.
Court of general jurisdiction
DISTRICT COURT (13 districts)
33 locations
25 judges
Case types:
- Tort, contract, real property rights ($30,000), domestic relations (except for adoptions and paternity.) Exclusive small claims, mental health jurisdiction.
- Misdemeanor OUI. Exclusive limited felony jurisdiction.
- Traffic infractions, processed through one District Court Violations Bureau, ordinance violations.
- Original juvenile jurisdiction.
No jury trials.
PROBATE COURT (a)(16 county crts.)
16 part-time judges
Case types:
- Exclusive adoption, miscellaneous domestic relations, estate jurisdiction.
No jury trials.
ADMINISTRATIVE COURT
2 judges
Case types:
- Appeal of administrative agency cases.
No jury trials.
Courts of limited jurisdiction

NOTE: (a) Probate Courts are operated by counties and are not considered part of the state funded court system.

In addition to the regular appointed judges, active retired judges serve in the District and Superior Courts. In FY'93, active retired judges provided an estimated 938 days of judicial service -- the equivalent of nearly four full-time judges (486 days in the District Court and 452 days in the Superior Court).

State of Maine
Court Locations



STATE COURT CASELOAD SUMMARY

Caseloads throughout Maine's state court system have undergone significant changes during the past several years. There are characteristic differences in today's court caseload compared to that of the past, but these changes are difficult to quantify; statistics cannot demonstrate the increased complexity of civil litigation, and it is often impossible to document the actual impact of new legislation each year. Nonetheless, the statistics summarized in Graph TC-1 and detailed in the "Work of the Courts" section of this report should provide a basic understanding of state court caseload.

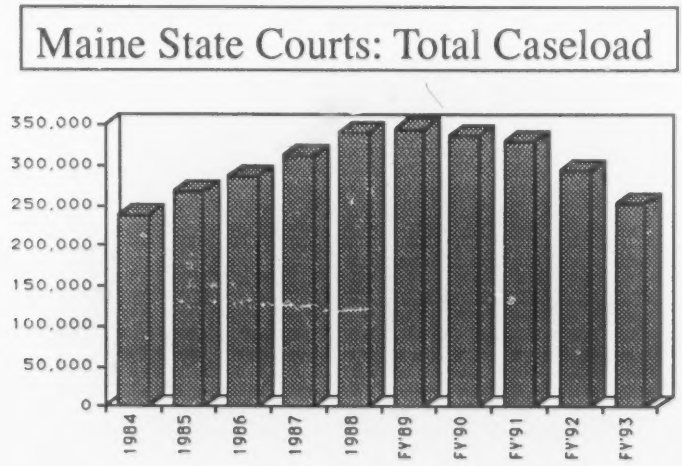
In the Law Court, fiscal year 1993 filings increased by 18.7% compared to calendar year 1992. There were 654 cases filed and 544 cases disposed of in FY'93. In cases for which opinions were written, the average time from notice of appeal to final disposition by the Law Court was 310 days. The Court wrote 121 opinions in criminal cases and 189 opinions in civil cases.

The Superior Court is the state's court of general jurisdiction. There were 18,274 cases filed in FY'93, of which 5,491 (30%) were civil cases and 298 (1.6%) were URESA cases. The average civil case required 439 days to reach disposition, a decrease of thirty days from FY'92. Of the 6,021 civil dispositions during FY'93, 40% were dismissed upon agreement of the parties. The 114 civil jury trials accounted for 2.2% of all civil dispositions.

The number of criminal filings in the Superior Court was 12,485 in FY'93, a 2.5% decrease compared to FY'92. Forty-eight percent of all criminal case filings were transfers from the District Court. The 3,822 cases involving murder, Class A, Class B and Class C crimes (formerly classified as felonies) constituted 30.6% of the Superior Court's criminal caseload. A total of 54% of all dispositions were convictions, while dismissals by the District Attorney accounted for 26.2%. Of the 6,701 convictions, 95.9% were by a plea of guilty.

The state's major court of limited jurisdiction is the District Court. The Court, again for the third year, experienced a decrease in caseload, with 232,906 filings (including civil violations and traffic infractions) in FY'93, a 17.8% decrease from FY'92. Criminal filings (77,848) decreased by 14.8% from the previous year, and civil filings (44,094) decreased by 5.8%. During FY'93, the local courts disposed of 42,990 civil cases, 76,903 criminal cases and 16,985 civil violations. A total disposition count is unavailable due to lack of data regarding traffic violations processed through the District Court Violations Bureau.

The Administrative Court has jurisdiction over the suspension and revocation of administrative agency licenses. Almost all (97.6%) of this Court's caseload originates from the Bureau of Liquor Enforcement. In FY'93, filings in the Administrative Court fell by 26% from the level reported in FY'92, for a total of 336 filings.



Graph TC-1

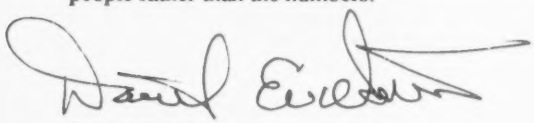
REPORT OF THE SUPREME JUDICIAL COURT - FISCAL YEAR 1993

The Supreme Judicial Court is both the governing body of the judicial branch and the court of last resort. In the last year, the Court has experienced filings in record numbers in the midst of a twenty month period during which one or more of the seven judicial positions was vacant. Justice Morton A. Brody resigned in August of 1991 to accept appointment to the United States District Court. As a result of financial constraints, the position that he held was not filled until Justice Howard H. Dana, Jr. joined the Court in March of 1993. Another vacancy was created by the retirement of Chief Justice Vincent L. McKusick and my appointment to that office in March of 1992. That position was filled by Justice Paul L. Rudman in June of 1992.

In spite of a rising caseload and diminished resources throughout the last year, the Supreme Judicial Court kept reasonably current and experience only a modest increase in the length of time from filing to final disposition of an appeal. The Court's decreased clearance rate was caused primarily by changes in the Workers' Compensation Act and the abolition of an administrative appellate division. Filings in workers' compensation cases increased from 10.4% of total filings in calendar year 1992 to 23.5% of total filings in fiscal year 1993. I expect that trend to continue, and during the period of transition in the next year or two, the Court may receive workers' compensation filings at a rate well in excess of three hundred per year. We are taking steps to ensure that we are able to remain current.

In addition to the regular appellate workload detailed in this report and single justice trial assignments, during the past fiscal year the members of the Court adopted a new code of judicial conduct, reviewed and amended the rules of practice and the rules governing the legal profession, established a Commission on Gender, Justice, and the Courts, issued an advisory opinion to the House of Representatives, recodified the Constitution of the State of Maine, adopted a reapportionment plan for House, Senate, and Congressional districts, and supervised the judicial branch of Maine's government.

In all, it has been a busy and productive year. The statistical report reflects positively on the operation of the Court. As we pursue our goal of providing justice to the people of Maine, we must continue to devote our attention to the people rather than the numbers.



Daniel E. Wathen
Chief Justice

Justices of the Supreme Judicial Court

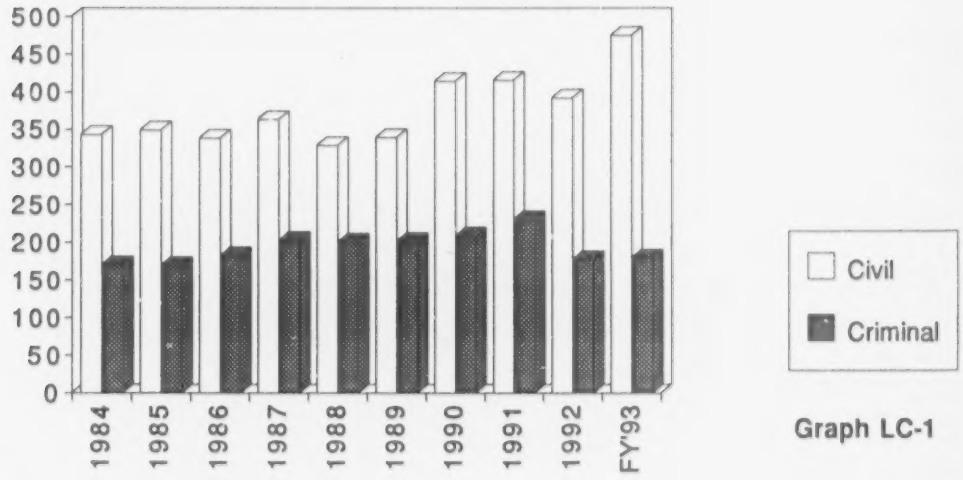
Front Row *(left to right)*: David G. Roberts, Daniel E. Wathen, Caroline D. Glassman
Back Row *(left to right)*: Paul L. Rudman, Robert W. Clifford, Samuel W. Collins, Jr., Howard H. Dana, Jr.

LAW COURT

NOTE: Until FY'93, Law Court information was reported on a calendar year basis.

Graph LC-1 illustrates the trend of case filings in Law Court 1984 - FY'93. Civil case filings peaked in FY'93, with 375 cases filed, primarily due to an increase in worker's compensation filings.

Filings in the Law Court 1984 - FY'93



Graph LC-1

FILINGS & DISPOSITIONS IN THE LAW COURT

Table LC-2 shows the numbers of case filings and dispositions. The most significant change in during FY'93 was in workers' compensation caseload. As a result of the Workers' Compensation Act and the abolition of an administrative appellate division as of January 1993, filings in workers' compensation cases increased from 59 (10.4% of total filings) to 154 (23.5% of total filings). Most of these cases (131 of 154) were received in the first six months of 1993.

LAW COURT FILINGS & DISPOSITIONS

Table LC-2

	1989		1990		1991		1992		FY'93	
	Filings	Dispos.	Filings	Dispos.	Filings	Dispos.	Filings	Dispos.	Filings	Dispos.
Civil	339	316	414	432	416	369	315	341	321	297
Workers' Compensation (Separate count available as of CY'92)							59	61	154	81
Subtotal	339	316	414	432	416	369	374	402	475	378
Criminal	201	201	208	186	230	204	177	169	179	166
TOTAL	540	517	622	618	646	573	551	571	654	544

LAW COURT DISPOSITIONS

TABLE LC-3 details the type and outcome of Law Court dispositions from CY'89 through FY'93. "Administrative Proceedings" are cases seeking review of action (or refusal to act) by agencies of the Executive Department. Through December 1992, appeals from the Appellate Division of the Workers' Compensation Division continued to be filed in the Law Court. As of January 1, 1993, workers' compensation cases were filed in the Law Court directly from the Workers' Compensation Board. For purposes of continuity, all cases are counted as "workers' compensation". "Discretionary Appeals" are requests for certificates of probable cause in post-conviction review cases. "Change" means that the trial court's judgment has been reversed, vacated or substantively modified. In FY'93, 13.9% of all criminal dispositions and 21.0% of all civil dispositions resulted in a change from the lower court's judgment.

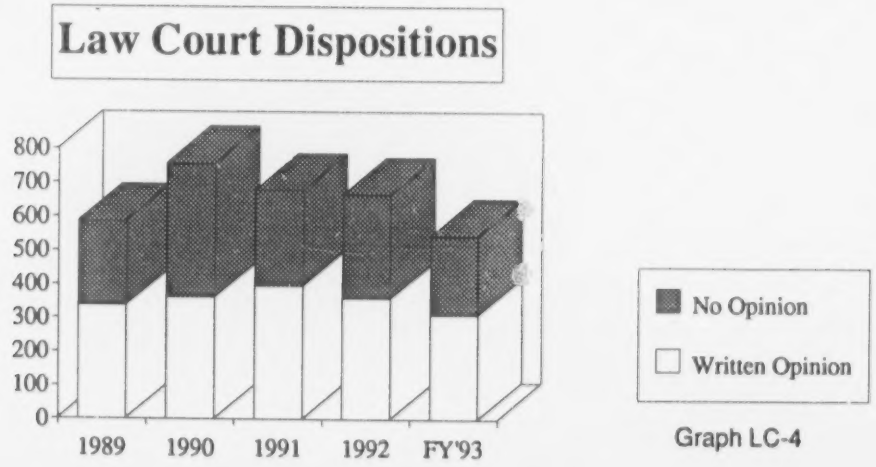
Law Court Dispositions by Case Type

Table LC-3

	1989			1990			1991			1992			FY'93		
Case Type	change	no change	sub-total	change	no change	sub-total	change	no change	sub-total	change	no change	sub-total	change	no change	sub-total
CRIMINAL															
written opinion	28	115	143	18	109	127	25	119	144	24	97	121	23	98	121
no opinion	–	58	58	–	59	59	–	56	56	–	48	48	–	45	45
PUBLIC UTILITIES COMMISSION															
written opinion	1	1	2	1	0	1	0	0	0	1	0	1	1	0	1
no opinion	–	1	1	–	1	1	–	0	0	–	2	2	–	3	3
WORKERS' COMPENSATION															
written opinion	6	7	13	3	2	5	10	8	18	6	3	9	4	2	6
no opinion	–	32	32	–	38	38	–	30	30	–	52	52	–	75	75
ADMINISTRATIVE PROCEEDINGS															
written opinion	8	17	25	6	19	25	6	17	23	8	18	26	5	14	19
no opinion	–	10	10	–	10	10	–	5	5	–	4	4	–	4	4
CIVIL															
written opinion	48	106	154	59	144	203	58	152	210	62	137	199	55	105	160
no opinion	–	79	79	–	148	148	–	92	92	–	98	98	–	98	98
DISCRETIONARY APPEALS															
written opinion	0	0	0	0	1	1	0	0	0	1	2	3	1	2	3
no opinion	–	0	0	–	0	0	–	12	12	–	8	8	–	9	9
ALL CASE TYPES															
written opinion	91	246	337	87	275	362	99	296	395	102	257	359	89	221	310
no opinion	–	180	180	–	256	256	–	195	195	–	212	212	–	234	234
TOTAL	**91**	**426**	**517**	**87**	**531**	**618**	**99**	**491**	**590**	**102**	**469**	**571**	**89**	**455**	**544**

LAW COURT OPINIONS

Graph LC-4 illustrates the percentage of cases resulting in a written opinion. Of the 544 cases disposed in FY'93, 310 (57%) involved a written opinion.

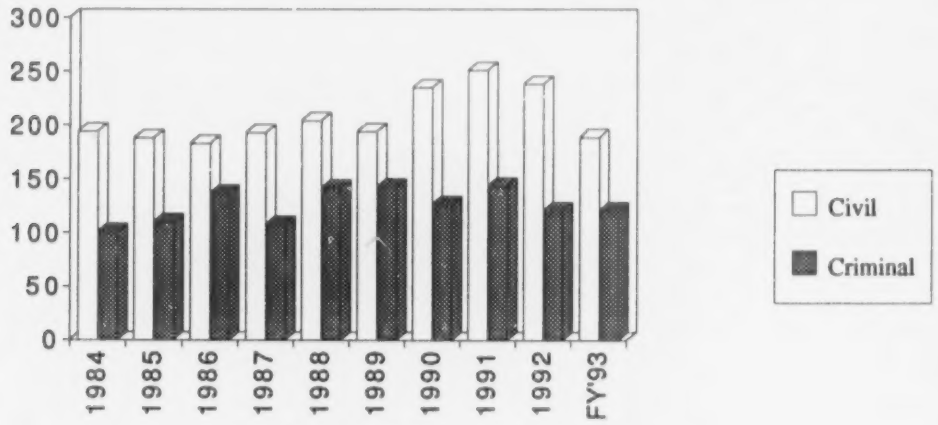


Graph LC-4

WRITTEN OPINIONS: Civil & Criminal

Graph LC-5 shows the history of civil and criminal written opinions 1984 - FY'93. In FY'93, 189 civil and 121 criminal opinions were written.

Civil and Criminal Written Opinions



Graph LC-5

DISPOSITION TIME IN THE LAW COURT: FY'93

TABLE LC-6 plots the number of days from filing of notice of appeal to final disposition of cases completed during FY'93. The average completion time of cases for which an opinion was written was 317 days, a 9.3% increase from the 290 day average in calendar year 1991. Of the 234 cases for which no opinion was written, 131 cases (52.8%) were disposed of in less than 100 days.

Time from Notice of Appeal to Disposition FY'93

Table LC-6

	OPINION		NO OPINION	
Case Type	# cases	avg. # days	# cases	avg. # days
CRIMINAL	121	356	45	178
PUBLIC UTILITIES COMMISSION	1	283	3	231
WORKERS COMPENSATION	6	255	75	88
ADMINISTRATIVE PROCEEDINGS	19	278	4	114
ALL OTHER CIVIL	160	296	98	158
DISCRETIONARY APPEAL	3	261	9	90
ALL CASES	310	317	234	137

CLEARANCE RATE: Keeping Up with Caseload

One measure of whether a court is keeping up with its caseload is to calculate the court's clearance rate. A clearance rate is the number of dispositions in a given year divided by the number of cases filed in the same year. While the two sets of cases are not necessarily identical (cases disposed of in FY'93 may have been filed during previous years), this measure can be readily calculated and is a useful gauge of whether there is a balance between the demands for and provision of court services. A rate of 100 percent or more indicates that more cases were disposed than were filed in that year. However, as rates fall below 100 percent, this indicates that the court's backlog is growing.

Law Court Clearance Rates — **Table LC-7**

Year	Total Filings	Total Dispositions	Clearance Rate
1984	513	490	95.5%
1985	518	505	97.5%
1986	520	501	96.3%
1987	565	492	87.1%
1988	528	542	102.7%
1989	540	517	95.7%
1990	622	618	99.4%
1991	646	590	91.3%
1992	569	571	100.4%
FY'93	654	544	83.2%

SENTENCE REVIEW PANEL

Statutory changes effective September 30, 1989 replaced the Appellate Division of the Supreme Judicial Court with the Sentence Review Panel. Applications for leave to appeal come before the Sentence Review Panel, which either grants or denies the leave to appeal. When the leave to appeal is granted, the sentence appeal is then docketed in the Law Court and proceeds as a regular appeal before the full court. When there is also an appeal from the conviction pending in the Law Court, the sentence appeal merges into that case and they are briefed and decided together. The table below shows the caseload of the Sentence Review Panel since October 1989.

Sentence Review Panel Caseload — **Table LC-8**

Year	Filed	Granted	Denied or Dismissed	Withdrawn	Total Dispositions
1989	16	5	0	0	5
1990	154	18	90	0	108
1991	154	6	130	0	136
1992	137	12	120	3	135
FY'93	131	5	131	0	136

REPORT OF THE SUPERIOR COURT - FISCAL YEAR 1993

At end of the 1993 fiscal year the Superior Court enjoyed a rebirth as several new justices were sworn-in. The appointments of Justices Nancy Mills, Leigh Saufley and Robert Crowley from the District Court and Francis Marsano from a very active private practice brings the court to full authorized strength for the first time since June 1990. Justice Jack Smith and Justice Stephen Perkins, who enjoyed the second longest tenure on the Superior Court, retired from active duty with Justice Perkins accepting an appointment to active-retired status. This creates a record number of six active-retired justices available for service to the Superior Court.

A varying number of vacancies over three years caused scheduling problems and reduced the number of available court days. I am pleased to report that for the second year in a row the number of dispositions exceeded filings allowing us to realize a small reduction in the backlog of pending cases. The number of dispositions per justice has remained high even though the total number of trial days declined due to the reduced availability of judges.

The Superior Court has expanded into the field of electronic recording of certain non-jury proceedings to ease the burden on our official court reporters and assist with record-making for our fully staffed court. We are also participating with the District Court in a financial screening program to review claims of indigency, to ensure that only those eligible receive counsel paid with public funds and to assist in collecting reimbursement where ordered.

As we enter the new fiscal year, the Superior Court is making plans to implement a pilot project for the individual assignment of civil cases to a particular justice from the beginning stages to post-judgment matters. Justices Bradford, Brodrick, Brennan and Lipez are participating in Cumberland County and Justices Chandler and Kravchuk in Somerset County. These counties were selected to provide us with a contrast between a very busy urban court and a part-time rural court without a participating resident justice.

These projects and a fully staffed judiciary permit the Superior Court to enter the new year with a renewed spirit, more energy and high expectations.

Thomas E. Delahanty, II
Chief Justice, Superior Court

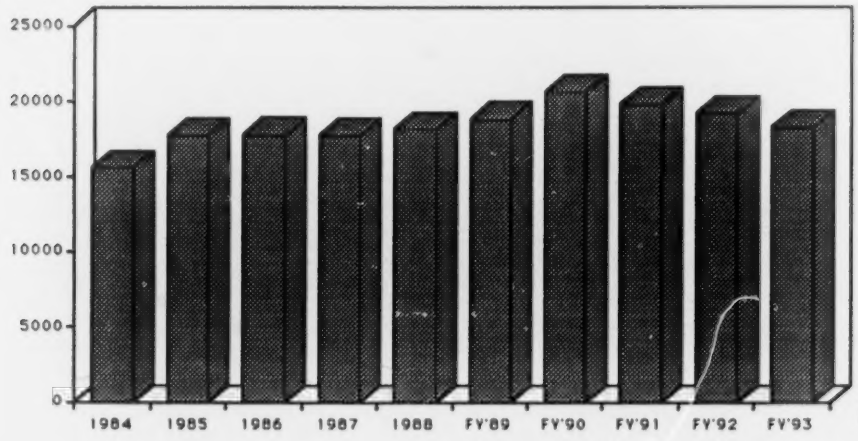
The Justices of the Superior Court

Front Row *(left to right)*: G. Arthur Brennan, William S. Brodrick, Stephen L. Perkins, Thomas E. Delahanty II, Carl O. Bradford, Paul T. Pierson, Bruce W. Chandler
Back Row *(left to right)*: Sidney W. Wernick (active retired), Francis C. Marsano, Andrew M. Mead, Roland A. Cole, Kermit V. Lipez, Paul A. Fritzsche, Margaret J. Kravchuk, Nancy D. Mills, Leigh I. Saufley, Robert E. Crowley, William E. McKinley (active retired)
Absent from photo: Donald G. Alexander, James P. Archibald (active retired), Ian MacInnes (active retired) and Robert L. Browne (active retired)

SUPERIOR COURT

As illustrated by the **graph SC-1** below, total filings in the Superior Court steadily increased from calendar year 1984 (15,522 cases filed) until FY'90 (a record high of 20,638 cases filed). Since FY'90, total filings have decreased slightly each year to 18,274 cases filed during FY'93.

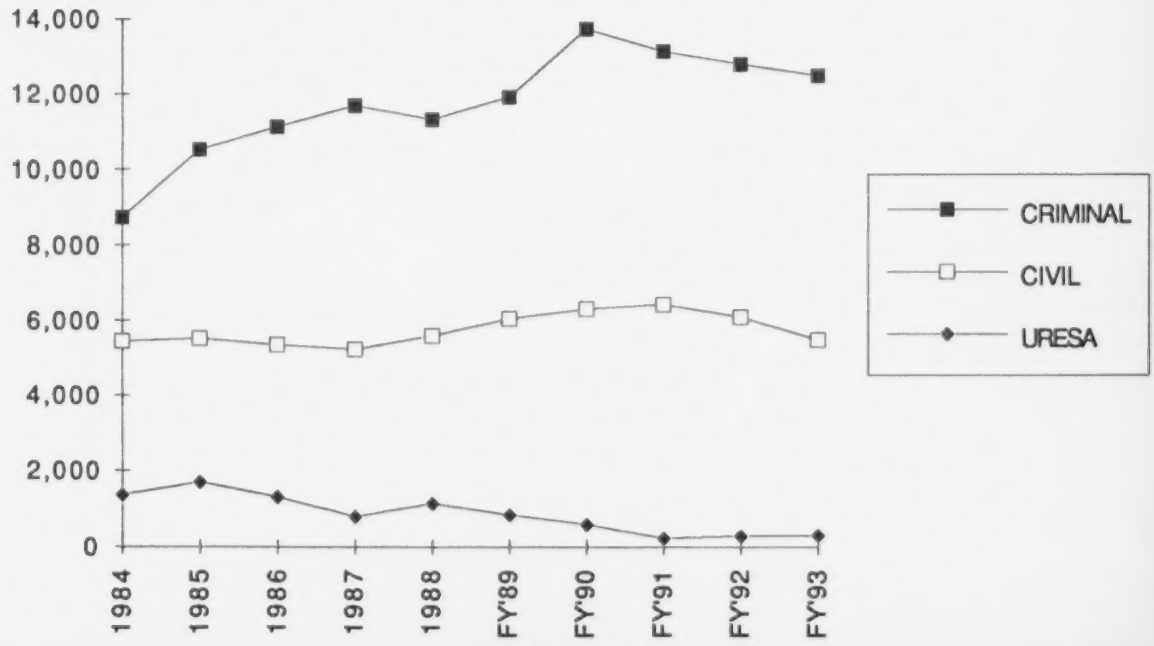
Total Case Filings in Superior Court



Graph SC-1

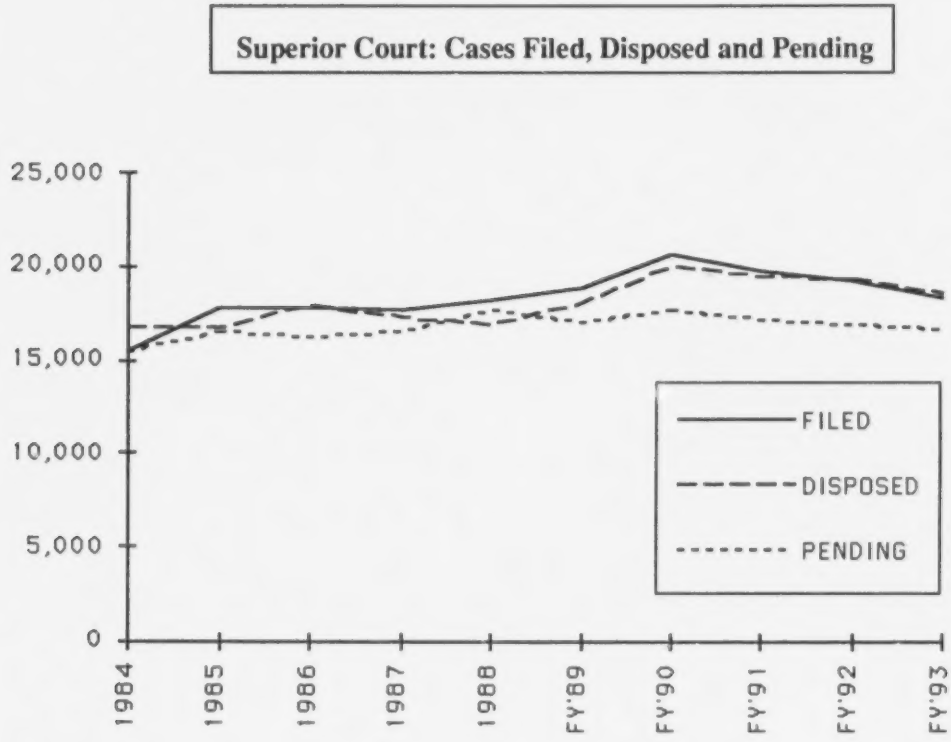
Graph SC-2 illustrates total filings by general case type. Criminal filings increased to a peak of 13,727 cases filed in FY'90, and declined during each of the past three years to 12,485 in FY'93. From 1984 through 1988, civil case filings hovered around 5,500. Civil filings topped the 6,000 mark from FY'89 through FY'92, falling back to 5,491 in FY'93. URESA (Uniform Reciprocal Enforcement of Support Act) cases, which were transferred during mid-1985 to the Department of Human Services for most administrative processing, have declined from 1,350 in 1984 to 298 in FY'93, and now comprise only 1.6% of the total filings. In 1984, criminal cases accounted for 56% of the Superior Court's total caseload. By 1993, 68% of all cases filed were criminal.

Superior Court Caseload by General Case Type



SUPERIOR COURT CASELOAD: Filings, Dispositions, Pending Cases

Graph SC-3 illustrates the relative fluctuations in total Superior Court caseload. While total case filings have ranged from 15,522 in 1984 to a high of 20,638 in FY'90, the average number of cases filed annually over the ten year period was 18,360. Dispositions ranged from 16,768 in 1984 to 19,967 in FY '90, with an average of 18,110 cases disposed in a year. Accordingly, the numbers of cases pending at the end of each year, which were at a low of 15,524 in 1984, reached a peak of 17,692 in FY'90, and averaged 16,775 cases pending each year.



Graph SC-3

TOTAL CASE FILINGS BY COUNTY

Table SC-4 lists each Superior Court by county location. Each location has experienced various levels of change in caseload in the last ten years. Thirteen of sixteen locations show an increase in total filings compared to 1984. Three counties, Franklin, Lincoln, and Somerset, had fewer case filings during FY'93 than in 1984; each had a decrease of more than 10%.

SUPERIOR COURT – CASE FILINGS BY LOCATION*

Table SC-4

COUNTY		FILINGS										10 year % CHANGE	1 year % CHANGE
		1984	1985	1986	1987	1988	FY'89	FY'90	FY'91	FY'92	FY'93	84-FY'93	FY92-FY93
ANDROSCOGGIN	Civil	545	544	507	547	520	530	525	589	553	506	-7.2%	-8.5%
	URESA	118	134	127	53	99	67	38	24	18	21	-82.2%	16.7%
	Criminal	701	787	782	822	753	805	1,043	843	846	898	28.1%	6.1%
	TOTAL	1,364	1,465	1,416	1,420	1,372	1,405	1,606	1,456	1,417	1,425	4.5%	0.6%
AROOSTOOK	Civil	307	322	293	265	264	302	316	302	315	278	-9.4%	-11.7%
	URESA	113	157	120	86	92	72	48	27	22	38	-66.4%	72.7%
	Criminal	407	426	367	434	398	461	609	685	645	668	64.1%	3.6%
	TOTAL	827	905	779	787	754	822	973	1,014	982	984	19.0%	0.2%
CUMBERLAND	Civil	1,335	1,361	1,384	1,379	1,570	1,668	1,683	1,801	1,557	1,388	4.0%	-10.9%
	URESA	222	237	208	148	174	127	95	34	40	42	-81.1%	5.0%
	Criminal	1,751	2,225	2,302	2,538	2,152	2,376	2,836	2,828	2,807	2,639	50.7%	-6.0%
	TOTAL	3,307	3,824	3,893	4,048	3,896	4,162	4,614	4,663	4,404	4,069	23.0%	-7.6%
FRANKLIN	Civil	107	87	97	110	83	92	123	112	114	100	-6.5%	-12.3%
	URESA	29	37	45	18	27	22	18	1	9	3	-89.7%	-66.7%
	Criminal	422	526	484	569	564	653	592	451	334	396	-6.2%	18.6%
	TOTAL	558	650	626	702	674	768	733	564	457	499	-10.6%	9.2%
HANCOCK	Civil	194	191	201	169	196	188	219	226	217	180	-7.2%	-17.1%
	URESA	59	62	42	28	42	27	25	4	25	10	-83.1%	-60.0%
	Criminal	242	236	221	390	413	390	425	452	370	377	55.8%	1.9%
	TOTAL	495	489	464	585	651	597	669	682	612	567	14.5%	-7.4%
KENNEBEC	Civil	590	625	573	475	496	545	639	635	635	640	8.5%	0.8%
	URESA	113	147	104	48	84	75	63	16	26	30	-73.5%	15.4%
	Criminal	777	887	788	696	752	740	857	885	896	841	8.2%	-6.1%
	TOTAL	1,480	1,659	1,462	1,215	1,332	1,357	1,559	1,536	1,557	1,511	2.1%	-3.0%
KNOX	Civil	148	152	152	167	192	199	171	187	205	183	23.6%	-10.7%
	URESA	46	63	22	18	31	25	21	13	5	9	-80.4%	80.0%
	Criminal	587	649	577	502	664	704	718	815	563	593	1.0%	5.3%
	TOTAL	781	863	751	684	887	923	910	1,015	773	785	0.5%	1.6%
LINCOLN	Civil	125	119	181	129	146	150	167	153	161	111	-11.2%	-31.1%
	URESA	25	44	19	15	21	18	14	5	9	13	-48.0%	44.4%
	Criminal	311	355	614	562	428	425	489	398	336	269	-13.5%	-19.9%
	TOTAL	461	518	813	701	595	593	670	556	506	393	-14.8%	-22.3%
OXFORD	Civil	172	186	189	152	177	193	209	216	195	172	0.0%	-11.8%
	URESA	57	92	55	41	50	36	20	7	14	15	-73.7%	7.1%
	Criminal	267	467	424	404	390	340	398	487	585	540	102.2%	-7.7%
	TOTAL	496	745	670	593	617	568	627	710	794	727	46.6%	-8.4%
PENOBSCOT	Civil	594	608	505	503	497	518	590	567	590	495	-16.7%	-16.1%
	URESA	167	213	159	92	135	104	63	23	29	38	-77.2%	31.0%
	Criminal	712	855	950	1,104	1,172	1,226	1,357	1,330	1,243	1,093	53.5%	-12.1%
	TOTAL	1,473	1,676	1,614	1,682	1,804	1,843	2,010	1,920	1,862	1,626	10.4%	-12.7%
PISCATAQUIS	Civil	30	37	25	31	55	64	49	53	49	42	40.0%	-14.3%
	URESA	32	30	12	14	22	20	6	2	6	4	-87.5%	-33.3%
	Criminal	110	127	144	150	155	146	158	122	125	163	48.2%	30.4%
	TOTAL	172	194	181	193	232	230	213	177	180	209	21.5%	16.1%
SAGADAHOC	Civil	142	144	130	92	187	177	134	134	135	108	-23.9%	-20.0%
	URESA	36	39	38	23	38	24	12	8	11	7	-80.6%	-36.4%
	Criminal	297	387	407	369	390	337	560	586	477	397	33.7%	-16.8%
	TOTAL	475	570	575	482	615	533	706	728	623	512	7.8%	-17.8%
SOMERSET	Civil	243	233	219	219	211	234	248	230	232	193	-20.6%	-16.8%
	URESA	64	106	57	37	72	51	28	10	12	8	-87.5%	-33.3%
	Criminal	804	829	882	937	942	1,058	1,108	740	671	681	-15.3%	1.5%
	TOTAL	1,111	1,168	1,157	1,194	1,225	1,353	1,384	980	915	882	-20.6%	-3.6%
WALDO	Civil	108	99	99	74	116	154	121	100	97	86	-20.4%	-11.3%
	URESA	45	43	45	25	40	29	24	6	14	12	-73.3%	-14.3%
	Criminal	245	247	321	265	238	269	286	335	385	381	55.5%	-1.0%
	TOTAL	398	389	465	364	394	445	431	441	496	479	20.4%	-3.4%
WASHINGTON	Civil	133	114	100	137	159	173	144	122	111	131	-1.5%	18.0%
	URESA	62	73	60	41	47	31	23	5	14	12	-80.6%	-14.3%
	Criminal	281	273	269	354	360	363	444	518	425	434	54.4%	2.1%
	TOTAL	476	460	429	530	566	565	611	645	550	577	21.2%	4.9%
YORK	Civil	669	698	694	767	827	858	977	1,007	926	878	31.2%	-5.2%
	URESA	162	215	190	114	168	114	98	43	42	36	-77.8%	-14.3%
	Criminal	816	1,249	1,589	1,590	1,553	1,625	1,847	1,656	2,094	2,115	159.2%	1.0%
	TOTAL	1,648	2,163	2,471	2,463	2,548	2,579	2,922	2,706	3,062	3,029	83.8%	-1.1%
STATE TOTAL	Civil	5,442	5,520	5,349	5,216	5,696	6,045	6,315	6,434	6,092	5,491	0.9%	-9.9%
	URESA	1,350	1,692	1,303	801	1,142	842	596	228	296	298	-77.9%	0.7%
	Criminal	8,730	10,525	11,121	11,686	11,324	11,918	13,727	13,131	12,802	12,485	43.0%	-2.5%
	TOTAL	15,522	17,737	17,773	17,703	18,162	18,805	20,638	19,793	19,190	18,274	17.7%	-4.8%

*** All cases counted by docket number. Includes cases filed and refiled.**

FILINGS AND DISPOSITIONS

TABLE SC-5 lists the numbers of case filings and dispositions by type, over the past five years. Generally, numbers of civil and criminal filings have declined when compared to FY'92. In FY'93, dispositions of civil cases exceeded civil case filings, reducing the civil pending caseload. Criminal case filings were slightly greater than criminal dispositions.

SUPERIOR COURT: FILINGS & DISPOSITIONS BY CASE TYPE

Table SC-5

Case Type	FY'89		FY'90		FY'91		FY'92		FY'93	
	FILED	DISP.	FILED	DISP.	FILED	DISP.	FILED	DISP.	FILED	DISP.
CIVIL:										
Damages	497	610	533	562	407	487	457	446	397	438
Personal Injury	1,465	1,452	1,353	1,406	1,285	1,307	1,195	1,220	1,210	1,224
Contract	1,500	1,291	1,542	1,430	1,536	1,443	1,095	1,425	931	1,195
Divorce	439	392	377	391	408	397	284	359	250	308
Rule 80B/80C Appeal	351	326	364	367	297	334	304	270	361	294
Appeal/Lower Court	235	218	302	263	290	310	301	274	263	270
Real Property Action	501	348	753	572	1,166	818	1,380	1,239	1,173	1,347
Equitable Action	349	325	344	361	307	308	351	313	308	332
URESA	842	878	596	1,060	228	473	296	318	298	335
Other	708	727	747	755	738	723	725	669	598	613
CIVIL SUBTOTAL	6,887	6,567	6,911	7,167	6,662	6,600	6,388	6,533	5,789	6,356
CRIMINAL:										
Bail Review	500	479	658	632	534	533	470	484	365	357
Transfer	5,598	5,734	6,353	5,959	6,036	5,789	5,781	5,651	6,039	6,154
Appeal	130	144	199	189	136	152	120	129	107	110
Boundover	220	231	273	241	205	261	176	196	214	185
Indictment	3,523	3,318	3,922	3,691	3,854	3,793	3,629	3,937	3,201	2,993
Information	877	867	1,009	990	1,109	1,097	1,302	1,307	1,173	1,149
Juvenile Appeal	12	15	7	2	4	9	17	5	9	19
Other	172	185	224	191	201	197	204	198	212	190
Refile: Probation Revocation	833	732	1,021	856	1,003	957	1,070	1,017	1,134	996
Refile: New Trial	53	53	61	49	49	55	33	35	31	28
CRIMINAL SUBTOTAL	11,918	11,758	13,727	12,800	13,131	12,843	12,802	12,959	12,485	12,181
TOTAL	18,805	18,325	20,638	19,967	19,793	19,443	19,190	19,492	18,274	18,537

CLEARANCE RATES: Keeping Up with Caseload

One measure of whether a court is keeping up with its caseload is to calculate the court's clearance rate. A clearance rate is the number of dispositions in a given year divided by the number of cases filed in the same year. While the two sets of cases are not necessarily identical (cases disposed of in FY'93 may have been filed during previous years), this measure can be readily calculated and is a useful gauge of whether there is a balance between the demands for and provision of court services. A rate of 100 percent or more indicates that more cases were disposed than were filed in that year. However, as rates fall below 100 percent, this indicates that the court's backlog is growing.

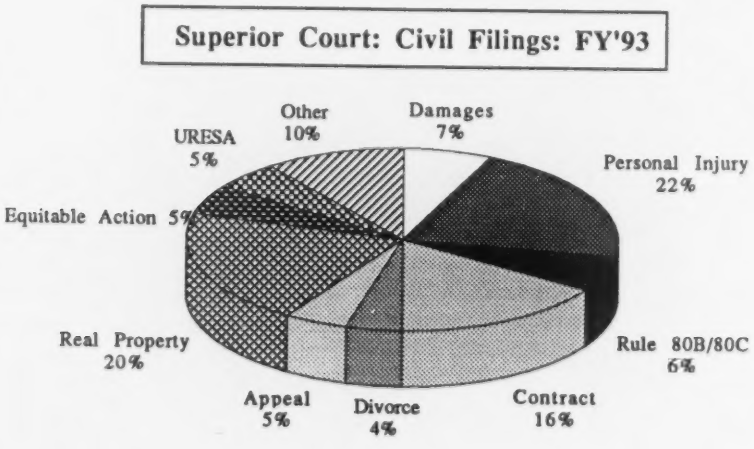
Superior Court Clearance Rates

Table SC-6

Year	Total Filings	Total Dispositions	Clearance Rate
1984	15,522	16,768	108.0%
1985	17,737	16,794	94.7%
1986	17,773	17,978	101.2%
1987	17,703	17,276	97.6%
1988	18,162	16,886	93.0%
FY'89	18,805	18,105	96.3%
FY'90	20,638	19,967	96.7%
FY'91	19,793	19,443	98.2%
FY'92	19,190	19,345	100.8%
FY'93	18,274	18,537	101.4%

CIVIL FILINGS: CASETYPE DISTRIBUTION

Graph SC-7 shows the distribution of civil casetypes filed during FY'93. The composition of civil caseload has not varied significantly in recent years, with the exception of real property actions that have shown a considerable growth since FY'89 (from 501 cases filed in FY'89 to a peak of 1,378 in FY'92, dropping slightly to 1,173 in FY'93).

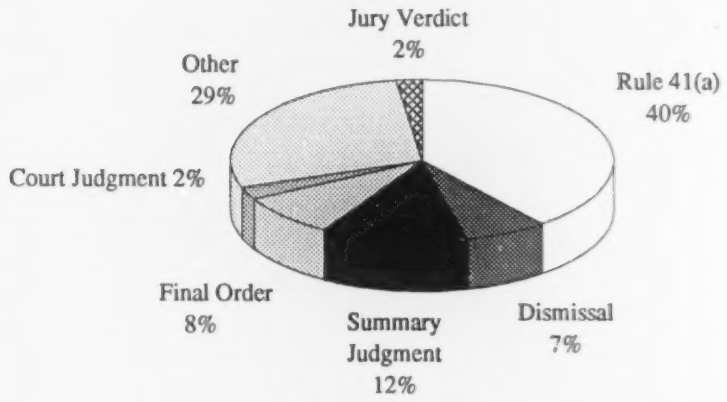


Graph SC-7

CIVIL DISPOSITIONS BY TYPES OF DISPOSITION

Graph SC-8 illustrates the types of case dispositions during FY'93. The most frequent type of disposition occurs under Rule 41(a), when a case is withdrawn by the complainant, nearly 40% of the 6,021 civil cases disposed of in FY'93. Disposition types included in the "other" category include: default, 41(b), divorce decree, appeal sustained/denied, judgement as a matter of law (formerly directed verdict), multiple judgements, venue change, and other.

Superior Court: Dispositions FY'93



Graph SC-8

CIVIL TRIALS IN THE SUPERIOR COURT

Table SC-9 lists the number of civil trials, jury and non-jury, and the total number of trial days.

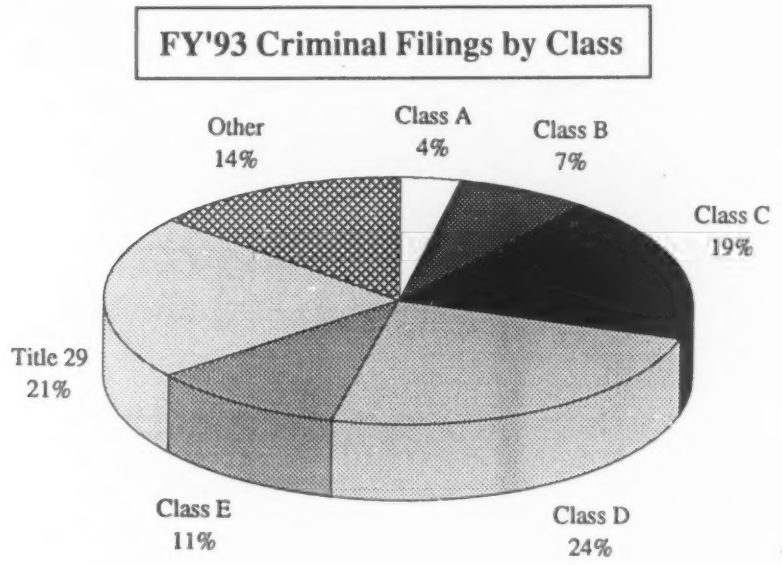
Superior Court: Civil Trials

Table SC-9

Year	# of Non-Jury Trials	Total # Days in Non-Jury Trials	# of JURY Trials	# Days in JuryTrials
1984	179	173	194	465
1985	173	206	220	522
1986	211	215	220	576
1987	215	231	241	603
1988	189	213	256	603
FY'89	167	156	231	575
FY'90	143	155	219	503
FY'91	158	197	202	498
FY'92	252	297	123	384
FY'93	192	233	138	423

CRIMINAL CASES: Filings by Class of Charge

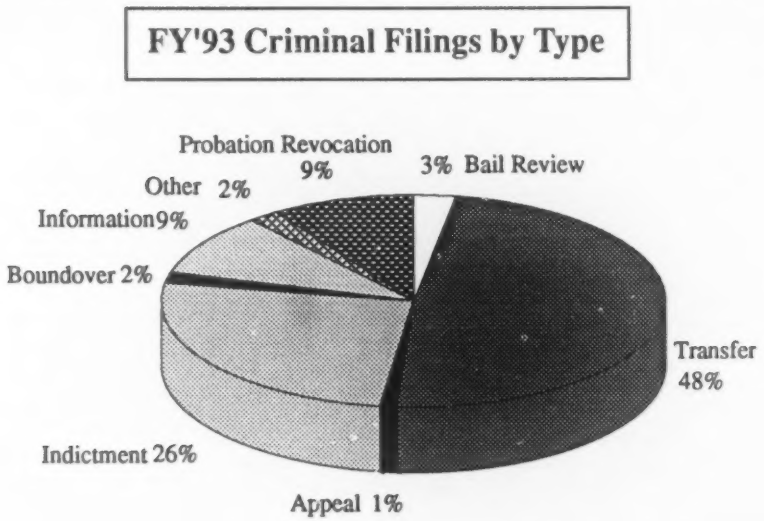
Graph SC-10 illustrates criminal cases by the class of original charge. When FY'93 figures are compared to 1984 counts, the most significant increases in numbers of cases have been in classes C (from 1,765 to 2,457; +39%), D (from 1,838 to 3,047; +66%) and E (from 980 to 1,340; +37%).



Graph SC-10

CRIMINAL CASE FILINGS BY TYPE OF CASE:

Graph SC-11 shows Criminal case filings during FY'93 as defined by the type of case.



Graph SC-11

CRIMINAL DISPOSITION TYPES BY CLASS

Table SC-12 illustrates the disposition types of cases by the original class charged, counted by defendant. The most prevalent disposition of criminal cases in the Superior Court was conviction by a guilty plea (51.7% of all dispositions). Over a quarter of all cases (26.2%) were dismissed by District Attorneys.

*Of the 298 Bail Reviews included in the "Other" category, bail was revised in 219 cases. Of the 996 petitions for probation revocations included in the "Other" category, probation was revoked in 729 cases.

Criminal Dispositions by Class of Charge: FY'93

Table SC-12

CLASS	Convicted/Plea #	Convicted/Plea %	Convicted/Trial #	Convicted/Trial %	Acquitted/Trial #	Acquitted/Trial %	Dismissed by D.A. #	Dismissed by D.A. %	Dismissed by Court #	Dismissed by Court %	Filed #	Filed %	Other * #	Other * %	TOTAL
A	196	58.9	30	9.0	17	5.1	76	22.8	1	0.3	0	0.0	13	3.9	333
B	628	69.9	27	3.0	20	2.2	199	22.1	4	0.4	6	0.7	15	1.7	899
C	1,742	75.6	45	2.0	21	0.9	452	19.6	5	0.2	10	0.4	28	1.2	2,303
D	1,489	49.8	55	1.8	41	1.4	1,042	34.9	35	1.2	214	7.2	111	3.7	2,987
E	701	49.7	15	1.1	9	0.6	492	34.9	9	0.6	107	7.6	77	5.5	1,410
TITLE 29	1,598	56.5	73	2.6	44	1.6	913	32.3	16	0.6	69	2.4	113	4.0	2,826
OTHER*	69	4.2	33	2.0	4	0.2	79	4.8	100	6.0	1	0.1	1,373	82.8	1,659
TOTAL	6,423	51.7	278	2.2	156	1.3	3,253	26.2	170	1.4	407	3.3	1,730	13.9	12,417

CRIMINAL TRIALS IN THE SUPERIOR COURT

Table SC-13 lists the number of criminal trials, jury and non-jury, and the total number of trial days.

Superior Court: Criminal Trials

Table SC-13

Year	# of Jury Waived Trials	Total # Days in Jury-Waived Trials	# of Jury Trials	# Days in Jury Trials
1984	142	118	420	692
1985	162	133	490	732
1986	145	117	485	779
1987	126	101	537	829
1988	112	125	514	797
FY'89	102	107	580	841
FY'90	100	86	563	863
FY'91	70	55	556	796
FY'92	80	64	511	823
FY'93	56	54	385	604

REPORT OF THE DISTRICT COURT - FY 1993

During Fiscal Year 1993 three District Court judges were transferred to the Superior Court and two new judges were appointed, leaving a vacancy at the end of the year. The two new judges, William R. Anderson and Thomas E. Humphrey were appointed as at-large judges. Judge Paul A. MacDonald completed his second and last term as an active retired judge. His significant contribution to the work of the district courts in West Bath, Wiscasset and Rockland will be missed.

A peer visitation program was started to allow judges to be observed by another judge for the purpose of feedback and constructive criticism. Although well received by participating judges, the program was put on hold once the vacancies arose. A return to this valuable learning experience is anticipated once there is a fully staffed judiciary.

The new courthouse in West Bath was completed and occupied by court personnel in December. This new location replaces district courts formerly located in Brunswick and Bath. Staffing of the District Court Violations Bureau in Lewiston was completed in the early part of the year and a permanent manager for the Bureau was hired.

In addition to their courtroom and office work, many judges and clerks were involved throughout the year on committees or teams to study or improve court procedures. An example of this is the York County Coordination Project. In this project, the clerks of the three district courts in York County meet on a regular basis. They have developed training manuals and uniform procedures to enable them to share personnel and to enhance the service to the litigants in York County. A method of scheduling civil cases at the largest courthouse, which is in York, was established. The project has enabled each of these courts to substantially reduce the backlog of cases.

A team composed primarily of District Court personnel developed a uniform set of procedures, which were incorporated into a manual, to be used in all courts for protection from abuse cases. The team also authored a booklet which explains the procedures and is distributed to all parties in protection from abuse cases.

The staff in each of the clerks' offices deserves praise for their hard work. Most staff members work in offices that are significantly understaffed and some of them work in inadequate facilities. Without their perseverance and dedication, the District Court would not have been able to handle the high volume of cases submitted to it this past year.

Susan W. Calkins
Chief Judge, District Court

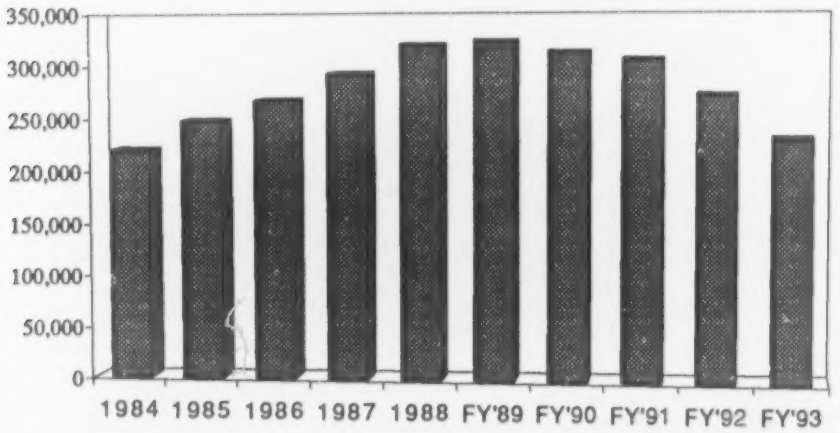
District Court Judiciary

Front Row *(left to right)*: Bernard C. Staples, Thomas E. Humphrey, Ronald A. Daigle, Rae Ann French, Ellen A. Gorman, Susan W. Calkins, John V. Romei, Jesse B. Gunther, Andre G. Janelle, John C. Sheldon
Back Row *(left to right)*: Paul C. Cote, Jr., William R. Anderson, Michael N. Westcott,Douglas A. Clapp, Peter J. Gornitos, Ronald D. Russell, Courtland D. Perry, II, S. Kirk Studstrup, David B. Griffiths, Edward F. Gaulin, Joseph H. Field, Jeffrey L. Hjelm, Alexander A. MacNichol, John B. Beliveau
Absent from photo: Jane S. Bradley

FILINGS IN THE DISTRICT COURT

Since 1984, total filings in the District Court steadily increased from 220,717 in calendar year 1984 to a peak of 325,560 cases filed in FY'89. Since FY'89, however, filings have decreased each year to a total of 232,906 filings in FY'93. **Graph DC-1** includes all filings in the District Court, including civil violations and traffic infractions.

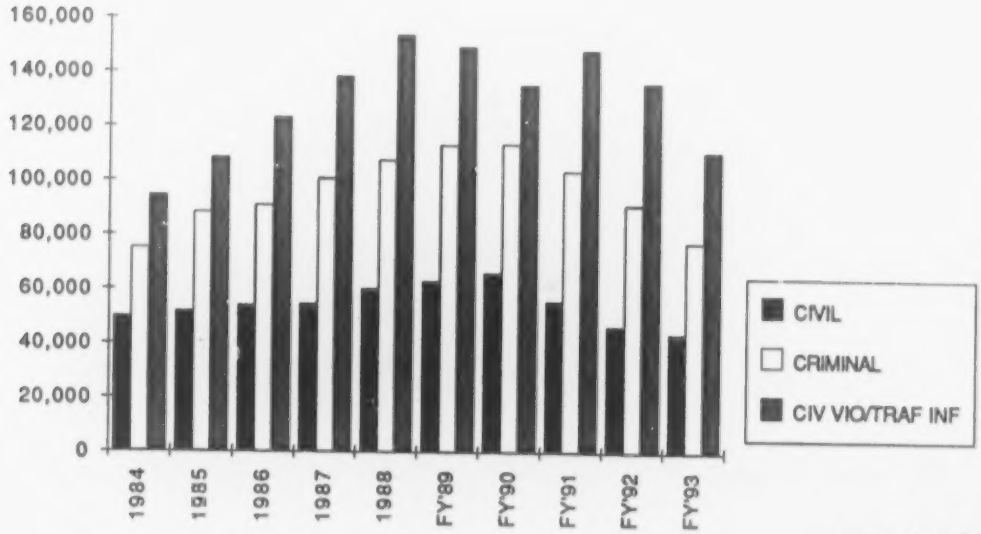
District Court Total Case Filings



Graph DC-1

DISTRICT COURT FILINGS BY TYPE

Graph DC-2 illustrates total filings by general case type. Each general case type reached a peak during the years 1988 through 1990. Civil violations and traffic infractions, which comprise nearly half of the Court's case count, are processed primarily trough the District Court Violations Bureau, located in Lewiston.



Graph DC-2

DISTRICT COURT: FILINGS BY TYPE

Table DC-3 details caseload in the District Court over the past five years, from FY'89 through FY'93. When viewed by particular case type, a variety of changes have occurred. When filings of **civil** cases are examined, the most significant change has occurred in the number of **small claims** filings, which totaled 9,997 cases in FY'93, compared to a peak of 29,740 in FY'89. Changes in rules and procedures regarding small claims cases contributed significantly to this decline in filings. **Domestic** case types that have shown growth since FY'89 include protection from abuse, protective custody, and other family matters, each reaching record-high levels in FY'93. **Criminal** filings, with the exception of juvenile cases, were lower than FY'92 case filings. Disposition data from the District Court Violations Bureau are unavailable.

District Court Caseload: By Type of Case

Table DC-3

	FY'89		FY'90		FY'91		FY'92		FY'93	FY
CIVIL CASES	Filings	Dispos.	Filings	Dispos.	Filings	Dispos.	Filings	Dispos.	Filings	Dispos.
DOMESTIC CASES:										
Divorce	7,395	7,301	7,320	6,354	7,207	6,873	7,139	6,940	7,037	6,771
Protection from Abuse	3,682	3,243	3,978	3,498	4,891	4,321	5,319	4,800	5,404	4,992
Protective Custody	580	397	506	392	557	380	647	431	665	480
Other Family Matters	1,359	885	1,377	768	1,305	842	1,342	888	1,633	1,188
Domestic: Sub Total	**13,016**	**11,826**	**13,181**	**11,012**	**13,960**	**12,416**	**14,447**	**13,059**	**14,739**	**13,431**
General Civil	17,944	16,399	19,896	17,012	19,987	17,206	17,936	16,360	15,997	15,687
Small Claims	27,582	24,240	29,740	27,090	18,558	21,770	11,033	11,571	9,997	10,717
Protection From Harassment	3,393	2,941	2,217	2,003	2,274	2,053	2,550	2,356	2,665	2,453
Mental Health	1,000	713	1,071	1,006	934	939	862	810	696	702
Civil: Total	**62,935**	**56,119**	**66,105**	**58,123**	**55,713**	**54,384**	**46,828**	**44,156**	**44,094**	**42,990**
CRIMINAL CASES										
Juvenile	5,070	4,453	5,082	4,544	4,619	3,998	4,757	4,364	5,219	4,937
Criminal A,B,C	5,255	4,620	5,520	4,786	5,522	4,996	4,756	4,469	3,705	3,503
Criminal D,E	32,030	29,151	34,588	33,521	36,077	33,210	35,856	34,821	33,225	32,516
Traffic Criminal	70,911	67,902	68,373	66,772	57,591	58,524	45,972	48,240	35,699	35,947
Criminal: Total	**113,266**	**106,126**	**113,563**	**109,623**	**103,809**	**100,728**	**91,341**	**91,894**	**77,848**	**76,903**
TOTAL: Civil & Criminal	**176,201**	**162,245**	**179,668**	**167,746**	**159,522**	**155,112**	**138,169**	**136,050**	**121,942**	**119,893**
Civ. Vio./Traffic Inf.	149,359	148,024	135,455	137,658	148,254	145,147	136,079	not avail.	110,964	not avail.
GRAND TOTAL	**325,560**	**310,269**	**315,123**	**305,404**	**307,776**	**300,259**	**274,248**		**232,906**	

DISTRICT COURT: FILINGS BY LOCATION

Table DC-4 (pages 42 to 44) lists each District Court location and the numbers of case filings and dispositions FY'89-FY'93. Changes in civil and criminal case filings have varied throughout the state. It should be noted that traffic infractions and civil violations are not included on this table. Effective January 1, 1992, the processing of traffic infraction cases was removed from local District Court locations and centalized at a new "District Court Violations Bureau" location.

District Court Civil & Criminal Filings & Dispositions FY'89-FY'93

Table DC-4

DISTRICT I	FY'89		FY'90		FY'91		FY'92		FY'93	
CARIBOU	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,553	1,496	1,244	1,302	1,184	1,287	1,019	1,019	862	929
CRIMINAL	1,076	1,026	1,165	1,054	1,251	1,226	1,047	1,018	993	1,032
TOTAL	2,629	2,522	2,409	2,356	2,435	2,513	2,066	2,037	1,855	1,961
	FY'89		FY'90		FY'91		FY'92		FY'93	
FORT KENT	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	Civil cases were not filed in Ft. Kent until FY'92.						289	193	212	198
CRIMINAL	363	311	508	462	451	440	525	481	397	316
TOTAL	363	311	508	462	451	440	814	674	609	514
	FY'89		FY'90		FY'91		FY'92		FY'93	
MADAWASKA	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	661	696	752	707	675	842	368	571	297	310
CRIMINAL	237	188	286	240	346	338	324	314	265	257
TOTAL	898	884	1,038	947	1,021	1,180	692	885	562	567
	FY'89		FY'90		FY'91		FY'92		FY'93	
VAN BUREN	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	Civil cases are not handled in Van Buren									
CRIMINAL	122	90	117	94	169	168	186	156	134	128
TOTAL	122	90	117	94	169	168	186	156	134	128

DISTRICT II	FY'89		FY'90		FY'91		FY'92		FY'93	
HOULTON	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,025	906	1,077	979	787	737	727	623	716	661
CRIMINAL	1,843	1,790	1,766	1,609	1,804	1,802	1,258	1,214	1,115	1,124
TOTAL	2,868	2,696	2,843	2,588	2,591	2,539	1,985	1,837	1,831	1,785
	FY'89		FY'90		FY'91		FY'92		FY'93	
PRESQUE ISLE	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,551	1,303	1,807	1,531	1,211	1,164	1,097	1,042	1,090	1,032
CRIMINAL	1,720	1,564	1,827	1,687	2,165	2,060	1,866	1,805	1,630	1,553
TOTAL	3,271	2,867	3,634	3,218	3,376	3,224	2,963	2,847	2,720	2,585

DISTRICT III	FY'89		FY'90		FY'91		FY'92		FY'93	
BANGOR	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	5,658	4,810	5,881	5,745	5,158	5,552	4,059	4,454	3,909	4,001
CRIMINAL	7,929	7,563	8,275	8,185	6,814	6,723	6,244	6,194	5,528	5,436
TOTAL	13,587	12,373	14,156	13,930	11,972	12,275	10,303	10,648	9,437	9,437
	FY'89		FY'90		FY'91		FY'92		FY'93	
NEWPORT	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,090	1,032	1,090	1,100	836	878	739	881	787	872
CRIMINAL	1,599	1,495	2,012	2,002	2,119	2,056	1,477	1,415	1,329	1,211
TOTAL	2,689	2,527	3,102	3,102	2,955	2,934	2,216	2,296	2,116	2,083

DISTRICT IV	FY'89		FY'90		FY'91		FY'92		FY'93	
CALAIS	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	864	805	1,000	971	764	680	682	606	588	633
CRIMINAL	1,608	1,516	1,600	1,532	1,537	1,252	1,473	1,520	1,379	1,415
TOTAL	2,472	2,321	2,600	2,503	2,301	1,932	2,155	2,126	1,967	2,048
	FY'89		FY'90		FY'91		FY'92		FY'93	
MACHIAS	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	893	783	826	745	623	648	483	393	529	530
CRIMINAL	1,302	1,251	1,217	1,141	1,308	1,186	1,268	1,244	1,160	1,131
TOTAL	2,195	2,034	2,043	1,886	1,931	1,834	1,751	1,637	1,689	1,661

DISTRICT V	FY'89		FY'90		FY'91		FY'92		FY'93	
BAR HARBOR	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	470	350	552	307	446	326	394	284	390	341
CRIMINAL	952	919	883	844	1,026	976	854	791	697	710
TOTAL	1,422	1,269	1,435	1,151	1,472	1,302	1,248	1,075	1,087	1,051
	FY'89		FY'90		FY'91		FY'92		FY'93	
BELFAST	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,548	1,294	1,613	1,377	1,350	1,244	1,008	930	1,038	925
CRIMINAL	2,107	2,088	1,955	2,002	1,959	2,004	1,992	1,967	1,894	1,889
TOTAL	3,655	3,382	3,568	3,379	3,309	3,248	3,000	2,897	2,932	2,814
	FY'89		FY'90		FY'91		FY'92		FY'93	
ELLSWORTH	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,571	1,051	1,745	1,120	1,629	844	1,404	1,262	1,462	1,138
CRIMINAL	2,851	2,854	3,224	2,902	3,276	3,199	2,356	2,368	2,077	1,974
TOTAL	4,422	3,905	4,969	4,022	4,905	4,043	3,760	3,630	3,539	3,112

DISTRICT VI	FY'89		FY'90		FY'91		FY'92		FY'93	
WEST BATH	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	2,814	2,509	2,967	2,694	2,400	2,379	2,127	1,928	1,934	1,915
CRIMINAL	4,879	4,647	5,313	4,960	5,299	4,496	4,125	4,035	3,742	3,375
TOTAL	7,693	7,156	8,280	7,654	7,699	6,875	6,252	5,963	5,676	5,290
	FY'89		FY'90		FY'91		FY'92		FY'93	
ROCKLAND	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	2,032	1,765	1,948	1,652	1,674	1,665	1,346	1,132	1,311	1,314
CRIMNAL	2,532	2,501	2,782	2,654	2,577	2,603	2,229	2,100	2,273	2,166
TOTAL	4,564	4,266	4,730	4,306	4,251	4,268	3,575	3,232	3,584	3,480
	FY'89		FY'90		FY'91		FY'92		FY'93	
WISCASSET	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,272	1,018	1,395	1,146	1,130	943	973	842	968	801
CRIMINAL	1,853	2,021	1,690	1,948	1,705	1,708	1,550	1,581	1,576	1,606
TOTAL	3,125	3,039	3,085	3,094	2,835	2,651	2,523	2,423	2,544	2,407

DISTRICT VII	FY'89		FY'90		FY'91		FY'92		FY'93	
AUGUSTA	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	4,316	4,293	4,178	3,581	3,390	4,472	2,924	2,860	2,750	2,950
CRIMINAL	6,018	5,569	6,140	5,755	5,867	5,469	4,689	4,751	3,900	3,892
TOTAL	10,334	9,862	10,318	9,336	9,257	9,941	7,613	7,611	6,650	6,842
	FY'89		FY'90		FY'91		FY'92		FY'93	
WATERVILLE	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	2,578	2,676	3,006	2,976	2,354	2,840	1,907	2,093	1,587	1,532
CRIMINAL	5,143	4,373	5,013	4,572	4,217	3,920	3,837	3,349	3,399	3,590
TOTAL	7,721	7,049	8,019	7,548	6,571	6,760	5,744	5,442	4,986	5,122

DISTRICT VIII	FY'89		FY'90		FY'91		FY'92		FY'93	
LEWISTON	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	5,334	4,895	5,204	4,598	4,663	4,257	4,000	4,045	3,508	3,257
CRIMINAL	8,139	7,267	8,365	10,168	7,556	7,749	6,969	7,993	6,206	6,515
TOTAL	13,473	12,162	13,569	14,766	12,219	12,006	10,969	12,038	9,714	9,772

DISTRICT IX	FY'89		FY'90		FY'91		FY'92		FY'93	
BRIDGTON	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,072	960	1,001	959	937	915	888	799	755	702
CRIMINAL	1,914	1,625	2,613	2,213	2,427	2,347	2,162	2,173	1,844	1,870
TOTAL	2,986	2,585	3,614	3,172	3,364	3,262	3,050	2,972	2,599	2,572
	FY'89		FY'90		FY'91		FY'92		FY'93	
PORTLAND	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	10,050	9,488	10,590	8,934	9,015	8,035	8,256	6,789	7,666	7,658
CRIMINAL	21,117	20,159	20,523	19,475	15,650	14,959	13,854	13,483	12,723	11,955
TOTAL	31,167	29,647	31,113	28,409	24,665	22,994	22,110	20,272	20,389	19,613

DISTRICT X	FY'89		FY'90		FY'91		FY'92		FY'93	
BIDDEFORD	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	3,555	2,392	3,977	2,845	3,446	2,682	2,742	2,275	2,614	2,105
CRIMINAL	10,447	9,630	8,747	8,228	7,238	6,135	6,245	5,130	4,829	4,969
TOTAL	14,002	12,022	12,724	11,073	10,684	8,817	8,987	7,405	7,443	7,074
	FY'89		FY'90		FY'91		FY'92		FY'93	
SPRINGVALE	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,784	1,323	2,179	1,690	1,950	1,734	1,547	1,224	1,440	1,500
CRIMINAL	4,538	4,453	4,542	4,348	4,581	4,438	4,115	4,059	3,127	3,147
TOTAL	6,322	5,776	6,721	6,038	6,531	6,172	5,662	5,283	4,567	4,647
	FY'89		FY'90		FY'91		FY'92		FY'93	
YORK	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	989	829	1,195	927	1,345	1,116	1,054	941	989	966
CRIMINAL	8,410	7,857	8,095	7,823	8,316	10,096	7,071	9,046	3,962	4,167
TOTAL	9,399	8,686	9,290	8,750	9,661	11,212	8,125	9,987	4,951	5,133

DISTRICT XI	FY'89		FY'90		FY'91		FY'92		FY'93	
LIVERMORE FALLS	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	435	449	525	523	361	388	279	348	296	265
CRIMINAL	981	918	908	897	812	872	749	756	757	712
TOTAL	1,416	1,367	1,433	1,420	1,173	1,260	1,028	1,104	1,053	977
	FY'89		FY'90		FY'91		FY'92		FY'93	
RUMFORD	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,084	1,083	1,188	1,218	967	985	878	822	773	791
CRIMINAL	1,548	1,391	1,890	1,662	1,680	1,753	1,531	1,534	1,375	1,362
TOTAL	2,632	2,474	3,078	2,880	2,647	2,738	2,409	2,356	2,148	2,153

DISTRICT XI (con't.)	FY'89		FY'90		FY'91		FY'92		FY'93	
SOUTH PARIS	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	2,524	2,067	2,318	1,951	1,726	1,933	1,368	1,472	1,465	1,503
CRIMINAL	1,278	1,144	1,399	1,297	1,383	1,294	1,536	1,538	1,491	1,400
TOTAL	3,802	3,211	3,717	3,248	3,109	3,227	2,904	3,010	2,956	2,903

DISTRICT XII	FY'89		FY'90		FY'91		FY'92		FY'93	
FARMINGTON	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	1,426	1,410	1,517	1,421	1,303	1,311	892	930	883	884
CRIMINAL	2,178	2,088	1,920	1,879	1,841	1,681	1,677	1,836	1,454	1,363
TOTAL	2,852	2,820	3,034	2,842	2,606	2,622	1,784	1,860	1,766	1,768
	FY'89		FY'90		FY'91		FY'92		FY'93	
SKOWHEGAN	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	2,578	2,427	2,806	2,743	2,337	2,256	1,794	1,714	1,755	1,629
CRIMINAL	4,914	4,216	4,984	4,410	4,757	4,431	4,701	4,699	3,504	3,688
TOTAL	7,492	6,643	7,790	7,153	7,094	6,687	6,495	6,413	5,259	5,317

DISTRICT XIII	FY'89		FY'90		FY'91		FY'92		FY'93	
DOVER-FOXCROFT	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	881	836	1,043	1,049	836	981	623	727	619	630
CRIMINAL	1,650	1,676	1,719	1,578	1,470	1,332	1,538	1,413	1,285	1,182
TOTAL	2,531	2,512	2,762	2,627	2,306	2,313	2,161	2,140	1,904	1,812
	FY'89		FY'90		FY'91		FY'92		FY'93	
LINCOLN	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	796	711	678	600	641	672	504	556	510	534
CRIMINAL	1,016	943	1,097	1,031	1,062	955	954	982	967	904
TOTAL	1,812	1,654	1,775	1,631	1,703	1,627	1,458	1,538	1,477	1,438
	FY'89		FY'90		FY'91		FY'92		FY'93	
MILLINOCKET	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	531	462	803	732	575	618	438	419	391	484
CRIMINAL	1,002	993	988	971	1,146	1,060	939	949	836	864
TOTAL	1,533	1,455	1,791	1,703	1,721	1,678	1,377	1,368	1,227	1,348

	FY'89		FY'90		FY'91		FY'92		FY'93	
STATE TOTAL	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.	FILE	DISP.
CIVIL	62,935	56,119	66,105	58,123	55,713	54,384	46,828	44,156	44,094	42,990
CRIMINAL	113,266	106,126	113,563	109,623	103,809	100,728	91,341	91,894	77,848	76,903
TOTAL	176,201	162,245	179,668	167,746	159,522	155,112	138,169	136,050	121,942	119,893

DISTRICT COURT: CIVIL FILINGS BY TYPE

Chart DC-5 illustrates the distribution of various civil case types filed during fiscal year 1993.

District Court Civil Filings FY'93

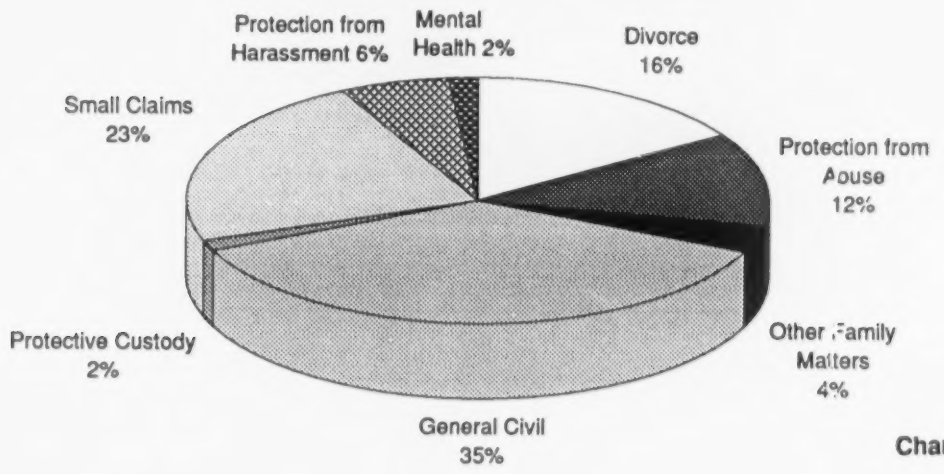


Chart DC-5

CRIMINAL FILINGS BY TYPE OF CASE

Chart DC-6 shows the distribution of various criminal case types filed during Fiscal Year 1993.

District Court Criminal Filings FY'93

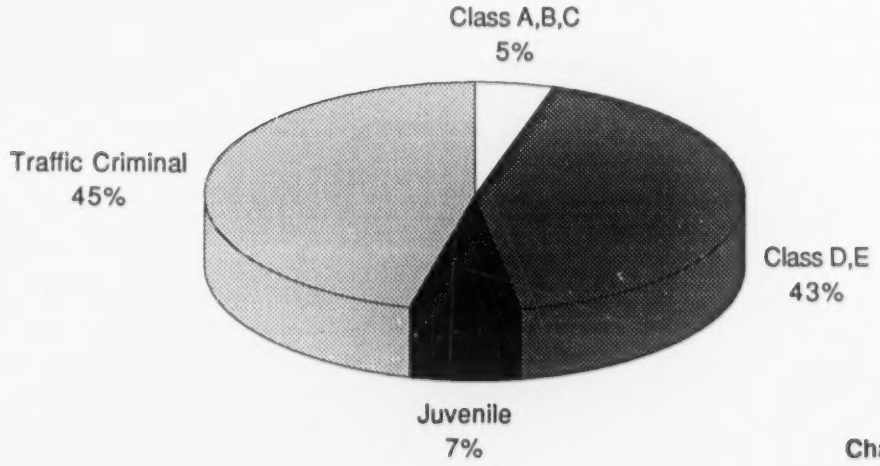


Chart DC-6

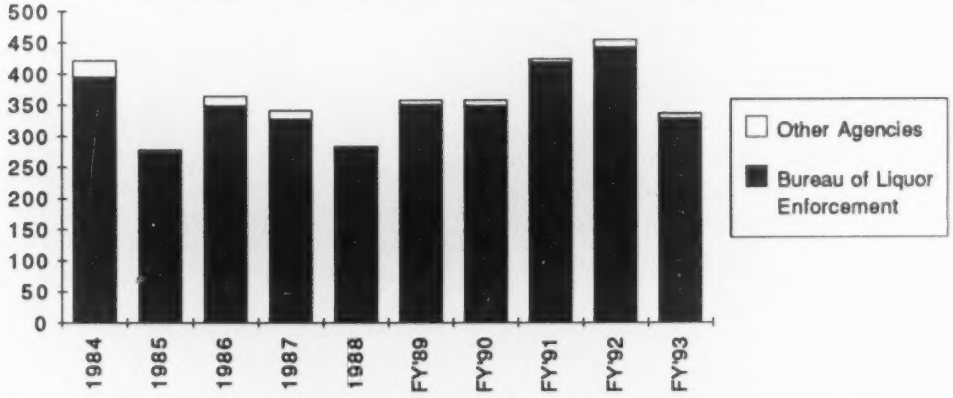
ADMINISTRATIVE COURT - FISCAL YEAR 1993

For Fiscal Year 1993, the primary caseload for the Administrative Court relating to its statutory jurisdiction continued to involve Bureau of Liquor Enforcement petitions (328 of 336 filings). The docket also included cases involving various administrative agencies such as the Real Estate Commission, the Board of Osteopathic Examination and Registration, and the Department of Human Services. This statutory jurisdiction included both trial and appellate dockets.

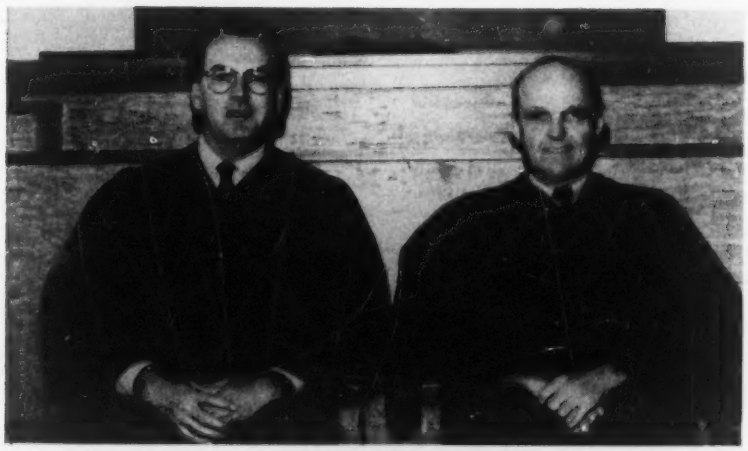
The judges and staff of the Administrative Court provided major support for the Family Court Pilot Project in FY'93. This pilot project was created by the Legislature, implemented in 1991, and continued in full operation in 1993. Both judges of the Administrative Court expended a majority of their time managing, hearing and disposing of family law cases from both the District and Superior Courts in Cumberland County, and the clerical staff from the Administrative Court provided substantial direction and support for the project. Some cases from other counties were also involved in the project.

The Administrative Court judges and staff were also involved in providing time and resources to the non-family law District Court dockets. The judges heard matters involving all cases on the full District Court dockets on a regular basis.

FILINGS IN THE ADMINISTRATIVE COURT



Judges of the Administrative Court



(left to right): Roland Beaudoin, Dana A. Cleaves (Chief Judge)

COURT APPOINTED SPECIAL ADVOCATE PROGRAM (CASA)

Maine's Court Appointed Special Advocate Program (CASA) continues to provide trained lay volunteers to serve as guardians ad litem in child protective custody disputes before the court. Each CASA volunteer conducts an independent investigation of the case in accordance with 22 M.R.S.A. §4005. They are active participants in the legal process, acting as an advocate, facilitator and monitor of each case as it proceeds through the legal and administrative process. They also provide the court with written recommendations regarding what is "in the best interest of the child". CASA volunteers provide individual representation for the children and may continue to do so for a period of several years.

In FY'93, CASA volunteers were appointed in 219 new cases involving 276 children. Throughout the year, 237 active volunteers provided representation for 862 children in a total of 674 active cases. Volunteers are paid only for travel and out-of-pocket expenses. Their service greatly reduced the need for State-paid attorneys who serve as guardians ad litem for children in cases when volunteers are not available. Expenditures for FY'93 totaled $93,436, a 12.6% increase compared to FY'92.

As of June 30, 1993, CASA volunteers were involved in cases in 28 of Maine's 32 District Courts. A total of 527 volunteers have been trained since the program began in 1986. In FY'93, six training seminars were held around the state, through which 79 individuals were trained to be CASA volunteers. Training was provided by the Director of CASA, the Judiciary, the Attorney General's office, the Department of Human Services, members of the Maine Bar, and veteran CASA volunteers.

As of January 1, 1993 training sessions for new CASA volunteers were opened to veteran volunteers as an opportunity to refresh and update their skills. Forty-six volunteers took advantage of this opportunity in FY'93. The sessions which formerly took place over three evenings have been consolidated into an intensive one day session, to better enable participation.

Regional support groups, run by the volunteers with guidance and input from the CASA Director and CASA staff person meet regularly in Portland, Lewiston and Bangor. Additional groups to be held in Camden, Augusta and Wiscasset are scheduled to begin in FY'94.

COURT MEDIATION SERVICE

During Fiscal Year 1993, the Court Mediation Service provided domestic relations mediation for all Superior and District courts and small claims mediation for 19 of the state's 31 district courts with a total of more than 4200 mediation sessions.

During FY'93, the practice of asking mediation litigants to complete a "User Comment Form" was initiated. Though admittedly not a scientific sampling, returned surveys show a high level of user satisfaction with 93% of the respondents concluding that they would recommend mediation to a friend. Mediators continue to provide comment forms to litigants, enabling on-going assessment of the mediation process.

The Commission to Study the Future of Maine's Courts enlisted a panel of three outside mediation experts to evaluate Maine's Court Mediation Service. The expert panel found that the Service "under-reports" its accomplishments and recommended that the service review and improve its data gathering procedures.

A new reporting system was implemented at the beginning of FY'93. The new system now indicates partial resolutions, making it clear that cases reported in past years as simply "unresolved" had, in fact, resulted in the resolution of a significant number of issues and decreased the amount of court time needed to hear those issues. Statistics now show that only 17.8% of domestic relations mediations end without any type of resolution.

Finally, this past year, following the recommendation of the Commission's expert panel and taking its inspiration from the legislative finding that mediated agreements (between parents) are in the best interests of children (19 MRSA, Sec 752, 214, 581), the Court Mediation Service adopted the following mission statement:

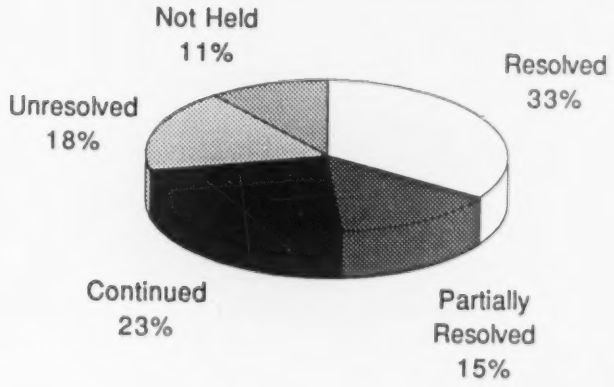
"As an integral part of the Judicial Branch, the Court Mediation Service assists parties involved in litigation to reach an informed, consensual and expeditious resolution of their disputes and, in matters affecting minor children, helps parents reach agreements that will serve the best interests of their children."

Mediation Sessions Held

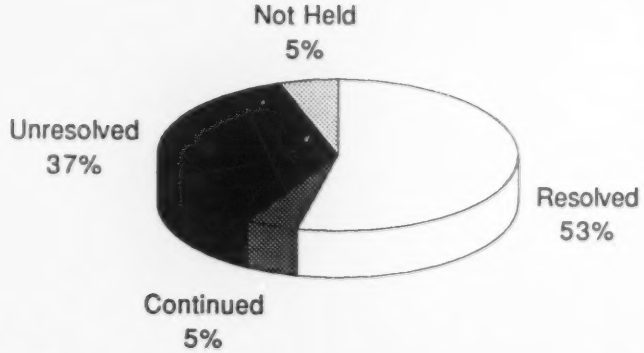
Table CM-1

Case Type	1987	1988	FY'89	FY'90	FY'91	FY'92	FY'93
DOMESTIC							
divorce	1,469	1,595	1,618	1,805	1,571	1,411	1,520
divorce amendment	851	813	794	1,011	975	920	998
temporary motion	294	357	342	328	294	241	357
other	195	226	369	463	255	288	442
Sub Total	2,809	2,991	3,123	3,607	3,095	2,860	3,317
SMALL CLAIMS	1,297	1,270	1,279	1,800	1,531	1,109	950
CIVIL	13	59	35	38	4	0	0
TOTAL	4,119	4,320	4,437	5,445	4,630	3,969	4,267

FY'93 Resolution Results
DOMESTIC Mediation Sessions



FY'93 Resolution Results
SMALL CLAIMS Mediation Sessions



READER SURVEY FORM

JUDICIAL BRANCH ANNUAL REPORT - FY'93

In an ongoing effort to meet the needs of the many consumers of the Judicial Branch Annual Report, the staff is seeking your feedback as to suggestions for an improved report. After reviewing this report, please complete this brief survey to provide us with the benefit of your views. **Copy as necessary.**

1. In what capacity do you use Judicial Branch Annual Report?

___ Judge	___ Legislator	___ Student
___ Court Staff	___ County Government	___ Researcher
___ Law Enforcement	___ Municipal Government	___ Library
___ Prosecutor	___ Private Citizen	___ Other
___ Corrections	___ Media	_____
___ Victim Services	___ Educator	_____

2. ___ In-State (Maine)

   ___ Other State - Specify national/federal _____

3. For what purpose did you use this issue of the Judicial Branch Annual Report?

   _____

   _____

4. How adequate was the publication for that purpose?

   ___ quite adequate ___ adequate ___ inadequate

5. What pages/sections did you find particularly useful?

   Sections/page numbers _____

6. What changes, if any, would you recommend for future issues?

   _____

   _____

7. This FY'93 Judicial Branch Annual Report is significantly changed in presentation and format from previous years' editions. If you are familiar with previous Annual Reports, how do you rate the FY'93 issue as compared to prior issues?

   ___ greatly improved ___ somewhat improved
   ___ little/no improvement ___ other _____

8. Any additional comments you care to make?

   _____

   _____

OPTIONAL:

Name/Position _____

Address/Phone _____

Please return to: Administrative Office of the Courts, P.O. Box 4820, Portland, Maine 04112